

# OUT OF THE SHADOWS

INDEX 2022





Researched and  
developed by



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# The 2022 Index

Every year, over 400 million children around the world are exposed to child sexual exploitation and abuse (CSEA).<sup>1</sup> The experience can leave children with a lifetime of physical and emotional damage, thwarting their potential and their ambitions along the way. The problem has been exacerbated everywhere by the COVID-19 pandemic.<sup>2</sup> Around the world, people turned to the internet for work, school and entertainment, provoking a surge of online child sexual material, with 2021 being the worst year on record.<sup>3</sup> The Internet Watch Foundation (IWF) said that in 2021, it investigated more reports of suspected child sexual abuse than in

the first 15 years of its existence.<sup>4</sup> And in the first six months of this year, IWF received almost 20,000 reports of images of children between the ages of seven and 10 manipulated into recording abuse of themselves. This is up from 12,000 for the same period last year.<sup>5</sup>

The internet – and specifically its anonymising technology - has allowed offenders to keep their crimes hidden and thus widen their reach of vulnerable children. But while online, the problem is far from virtual; behind every image is a real life act of cruelty involving a child.

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<sup>1</sup> Sexual abuse is the most commonly studied form of maltreatment across the world with median (25th to 75th centile) prevalence of 20.4% (13.2% to 33.6%). Moody G et al, Establishing the international prevalence of self-reported child maltreatment: a systematic review by maltreatment type and gender, 2018, <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6180456/>

<sup>2</sup> Human Rights Council: Violence against children has increased due to the pandemic and multiple humanitarian crises, and 2021 posed unprecedented challenges for the protection of children living in conflict zones <https://reliefweb.int/report/world/human-rights-council-violence-against-children-has-increased-due-pandemic-and-multiple>

<sup>3</sup> The Guardian, 2021 was worst year on record for online child sexual abuse, says IWF, 2022, [www.theguardian.com/society/2022/jan/13/2021-was-worst-year-on-record-for-online-child-sex-abuse-says-iwf#:~:text=In%202021%2C%20the%20IWF%20reported,treble%20the%20number%20for%202020](http://www.theguardian.com/society/2022/jan/13/2021-was-worst-year-on-record-for-online-child-sex-abuse-says-iwf#:~:text=In%202021%2C%20the%20IWF%20reported,treble%20the%20number%20for%202020).

<sup>4</sup> Marking 25 years of combatting online child sexual abuse imagery <https://www.iwf.org.uk/25-years-of-the-iwf/>

<sup>5</sup> The Guardian, Huge rise in self-generated child sexual abuse content online, report finds <https://www.theguardian.com/technology/2022/aug/09/self-generated-sexual-abuse-of-children-aged-seven-to-10-rises-two-thirds>

Offline, the great paradox of the pandemic is that the very measures meant to protect people have negatively impacted the most vulnerable. School closures and social isolation measures left children with limited access, if any, to the vital services that could help them. With the public spotlight directed at the virus, fewer cases of child sexual abuse were being reported. In the US alone, there was an 18% decrease in reporting and investigations of child abuse.<sup>6</sup> The pandemic also reversed decades of hard-won progress on gender-related sexual violence, as financial stress and parental deaths continue to drive up child marriage and female genital mutilation.<sup>7</sup>

The Out of the Shadows Index (OOSI) benchmarks how 60 countries (home to approximately 85% of the global population of children) are preventing and responding to CSEA. It is the first attempt to develop a global assessment of how countries are addressing the issue. Rather than measure the scale of CSEA, the index focuses on how governments are approaching the problem as they seek to meet the United Nations' Sustainable Development Goals (SDGs).

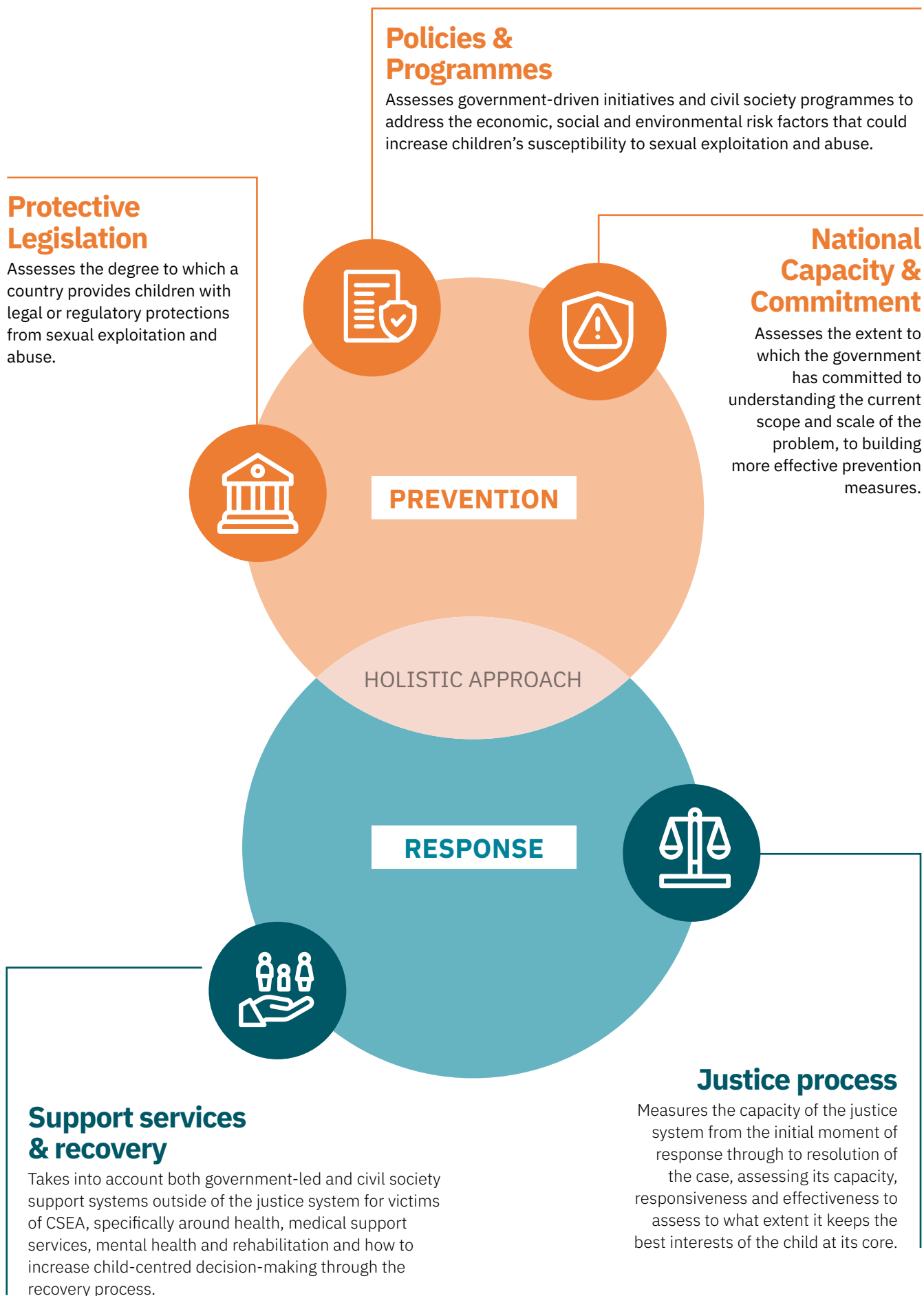
The first iteration of the OOSI, released in 2019, focused on responses to CSEA. It looked across government, civil society

and private sector initiatives to understand how countries were developing laws, programmes and interventions to support victim-survivors and offenders. This second iteration takes the assessment a step further: it looks across efforts to both prevent and respond to CSEA, building the framework for a holistic, government-led approach that is supported by civil society and the private sector (see [Figure 1](#)).

Throughout our assessment, the question driving the OOSI framework has been “what does a holistic approach to combating CSEA look like?” The focus is on the governance architecture of every country and how each addresses the complexity of CSEA. The index's framework therefore recognises the role played by structural factors: from the education sector to the justice system, CSEA prevention and response is inter-sectoral and requires a wide political and societal effort. The index is organised around **two governance dimensions: prevention and response**. Each dimension is supported by a number of pillars. The prevention dimension comprises **protective legislation, policy and programmes, and national capacity and commitment** pillars. The response dimension comprises **support services and recovery, and justice process**.

<sup>6</sup> Pandemic masks ongoing child abuse crisis as cases plummet <https://apnews.com/article/coronavirus-children-safety-welfare-checks-decline-62877b94ec68d47bfe285d4f9aa962e6>

<sup>7</sup> <https://www.unicef.org/press-releases/remarks-unicef-executive-director-catherine-russell-opening-unicef-executive-board>

**Figure 1:** A holistic approach to combating CSEA

The changes in the OOSI framework, reflected in this 2022 edition and findings, are the result of attempts to provide a more holistic understanding of how countries are addressing CSEA and to hold governments to a higher standard. Specifically, the 2022 iteration has integrated a more nuanced assessment of prevention, especially around the comprehensiveness of protective legislation and the provision of education to prevent CSEA.<sup>8</sup> This has revealed **clear gaps in countries' prevention systems**. The latest iteration **also integrates outcomes data into each pillar to help measure the effectiveness of government action**. For example, while 56 countries have laws prohibiting penetration between a minor and an adult, there is no correlation between this and the perceived enforcement level of statutory rape laws. This suggests that the existence of laws

protecting children against rape and other forms of sexual abuse might not be as effective in practice as on paper. Overall, these additions highlighted the need to focus efforts on a holistic approach that targets both response and prevention.

Finally, we have also produced a separate module that measures the degree to which governments have developed legislation that regulates how the private sector engages with children, especially around issues related to data protection, child labour and the role of Internet Service Providers (ISPs) in preventing the spread of child sexual abuse material (CSAM) online.<sup>9</sup>

If you wish to learn more about the methodology behind the Index, please consult the [Out of the Shadows Index 2022 Methodology Paper](#).

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<sup>8</sup> CDC, Prevention Technical Package, <https://www.cdc.gov/violenceprevention/pdf/sv-prevention-technical-package.pdf>

<sup>9</sup> For more information on the private sector module, please visit [INSERT TITLE OF PRIVATE SECTOR REPORT WITH HYPERLINK].



# Executive Summary

The drive to prevent and respond to child sexual exploitation and abuse (CSEA) is widespread and there have been efforts to highlight CSEA's global threat, to clear the path for victim-survivors to speak-up and to build the capacity of those working to end it. Governments from around the world have come together to develop a coordinated response to CSEA online.<sup>10</sup> These efforts all take us a step closer to creating the **global holistic prevention and response system** needed to safeguard the welfare of every child.

However, governments need to do more to ensure that their laws, policies and programmes are effective in preventing CSEA and that their response systems are comprehensive and child-centred. The 2022 Out of the Shadows Index and accompanying report provide a robust analysis of the complexity of global CSEA. While this iteration of the index uncovers which countries rank highest in effectiveness and preparedness in their existing CSEA strategies, it also presents the need for heightened government accountability, legislative reform and child-centric policies.

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<sup>10</sup> WeProtect, Communique of the WeProtect Global Alliance Summit 2022: Turning the Tide on Child Sexual Abuse Online, 2022, <https://www.weprotect.org/library/communique-summit-2022-turning-the-tide/groups>, among other reasons.



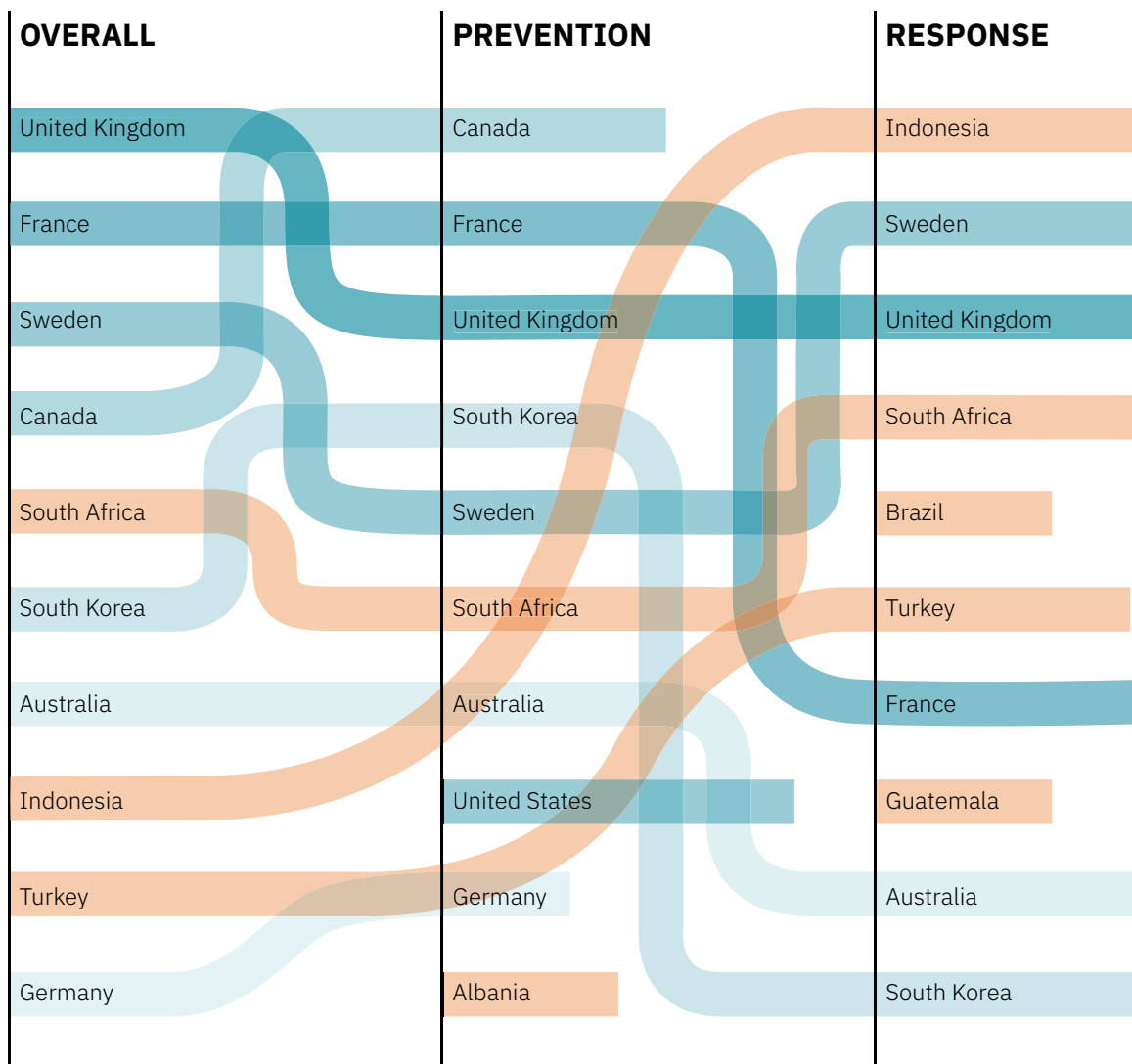
The index data shows that:

- **Many governments are failing to create the policies needed to prevent and respond to CSEA.** Fewer than half of the countries indexed are considered to have a strategy to end CSEA. Additionally, since 2019, there has been a 36% decrease in the number of countries that have a national strategy or action plan that specifically addressed child sexual exploitation and/or abuse. Governments must turn their attention to CSEA in order to support progress on a variety of policy goals and the Sustainable Development Goals (SDGs). The index provides a roadmap for governments, enabling them to understand which prevention and response strategies work and which do not. This can aid in ensuring that progress will be made prior to the SDGs expiring. Specifically, and based on the key learnings from the 2022 index, governments must focus on:

  - Developing protective legislation centred on the child’s best interests, that takes into consideration local contexts while aligning with international standards;
  - Instituting policies and programmes that tackle the economic, social and environmental conditions that contribute to CSEA;
  - Strengthening state capacity to better understand and address CSEA;
  - Building age-appropriate long-term support systems for children affected by CSEA; and
  - Ensuring the justice process is adapted to the needs of the child, with specially trained staff and safe spaces a minimum requirement.
- **Holistic prevention and response systems are necessary to eliminate sexual violence against children.** There needs to be more pressure on national and international governing institutions to develop processes that sustainably tackle CSEA issues. Collaboration across sectors will provide the resources and knowledge needed to petition for long-term change.
- **Income alone is not a strong determinant of a country’s ability to successfully prevent and respond to CSEA.** Three of the top ten countries—South Africa, Indonesia and Turkey—are middle-income economies, and 55% of the top 20 countries are non-high income. Middle-income countries perform well across most categories: they hold seven of the top 11 spots in Support Services & Recovery; seven of the top 10 in Protective Legislation; and half of the top 10 in National Capacity &

Commitment. Policies & Programmes is the only pillar where the high-income economies dominate the rankings, and middle-income countries fall behind on every category except poverty and inequality protections. This performance gap could be a result of gaps in education provision and the persistence of harmful social norms, especially around gender and sexuality, in middle- and low-income economies.

**Figure 2: Top performers overall and in prevention and response<sup>11</sup>**



Note: Countries highlighted in orange are middle-income economies.

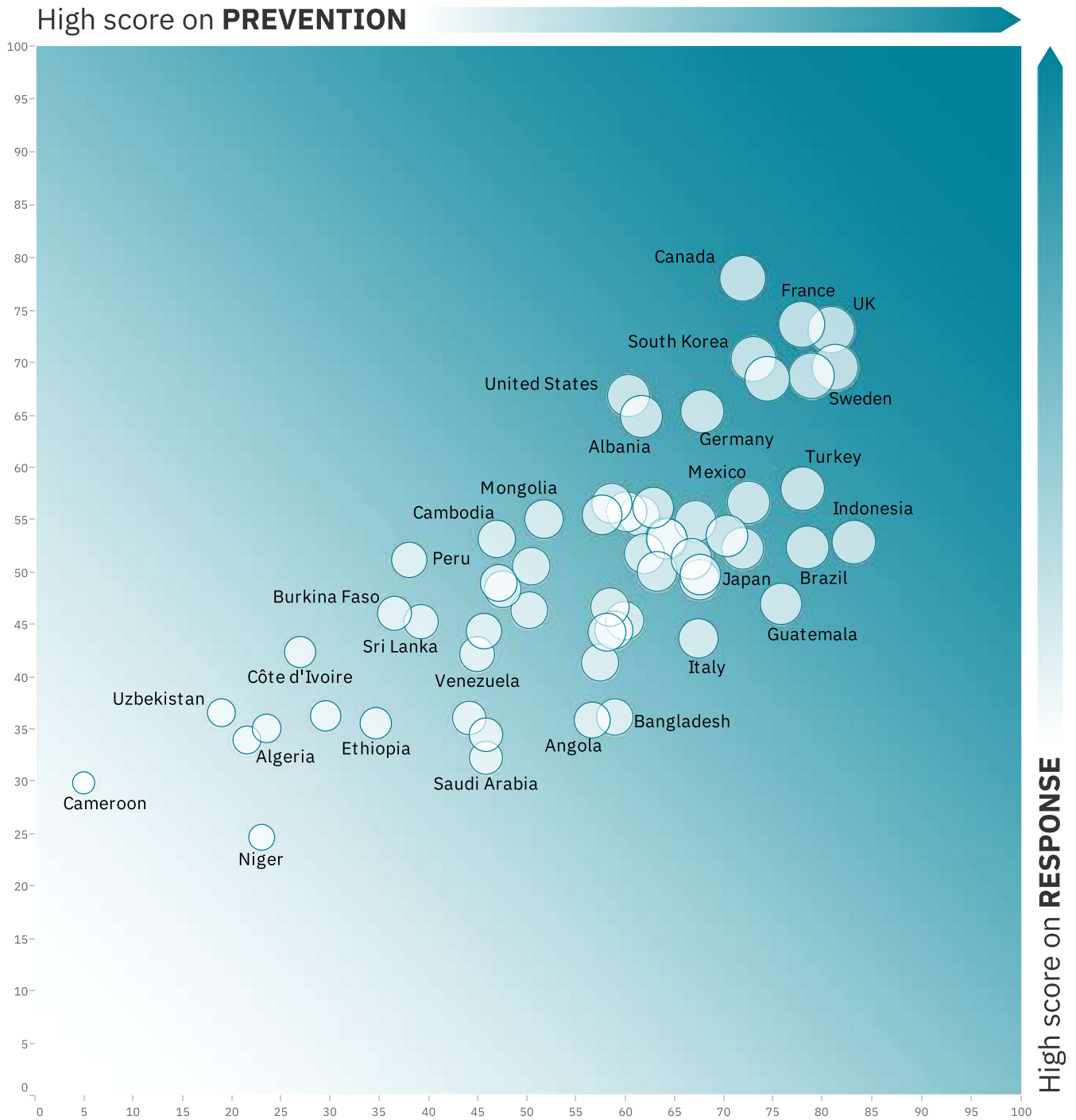
<sup>11</sup> Please see the Appendix for a full list of the rankings overall and across prevention and response.

- **Performance on judicial services and long-term support systems for victim-survivors set middle-income countries apart.** Of the 13 countries that use multidisciplinary teams to streamline investigations of CSEA cases and ensure child-friendliness, 10 are middle-income. And all 11 of the countries that collect data with the aim of offering and improving long-term support to victim-survivors are middle-income countries. Middle-income countries' performance is also bolstered by laws supporting victim-survivors and their focus on developing plans and policies to address CSEA and related issues.
- **There is a positive correlation between countries' performance on prevention and their performance on response** (+.74; see [Figure 3](#)). However, high-income countries tend to have stronger prevention systems than response systems, while middle-income countries perform better on response. Low-income economies generally fall below the 60 country average on both prevention and response; Rwanda is an exception. Its top 25% performance in both Protective Legislation and National Capacity & Commitment push it to 13th in the Prevention pillar.
- **Tackling a problem of this magnitude requires coordination across sectors, including engagement with the private sector.** Three-quarters of the 60 countries in the index score less than 40 (out of 100) in the private sector module, while only six countries score over 60. This demonstrates that there is much room for improvement in how the private sector is working to prevent and respond to CSEA issues related to data protection, child labour and the role of internet service providers (ISPs) in preventing the spread of child sexual abuse material (CSAM) online.
- **We are getting better at understanding CSEA issues through data. Until recently, there was little to no data on the prevalence of CSEA.** Today, almost three-quarters of countries (73%) collect and publish data on the number of recorded and reported cases of CSEA. There are ongoing efforts globally to track and catalogue the prevalence of CSEA, with almost half of countries (45%) collecting data. This is a 23% increase in the number of countries collecting prevalence data since the last iteration of the index.

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<sup>12</sup> Many of these countries collected this data through the Centres for Disease Control and Prevention's (CDC) Violence against Children Surveys (VACS).

**Figure 3:** The correlation between countries that score well on prevention and those that score well on response is strong



## Country Rankings

- **The United Kingdom (UK), France and Sweden top the second iteration of the Out of the Shadows Index** (see [Figure 2](#)). The UK ranked first overall, coming in the top five in the three categories of Justice Process, Policies and Programmes, and Protective Legislation (see [Figure 4](#)). It particularly stood out for its support services for offenders and is one of just three countries to offer prevention services for potential perpetrators, in addition to rehabilitative services for adult offenders. The UK also offers programmes that treat youth who show signs of problematic sexual behaviour.
- **France's strong performance stems from its comprehensive prevention education.** It is one of just 10 countries assessed that provides guidance that is specifically designed for youth-serving organisations on how to prevent cases of child sexual abuse. It is also one of six countries that offers some support to potential offenders before they commit an act of CSEA. In addition, France has undertaken an monitoring and evaluation exercise to assess the justice system's response to CSEA cases.
- **South Africa is the only country that ranks in the top 10 across all five categories of the index** (see [Figure 2](#)), **providing the strongest example of a holistic approach to addressing CSEA.** South Africa's approach centres on the needs of victims and children in both their prevention and response systems. It is one of just 10 countries that has established specialised courts for cases of sexual violence, including CSEA. It is also one of just two countries with comprehensive laws that support victim-survivors, including by ensuring that a child victim of trafficking shall not be punished for unlawful acts that are related to their trafficking. Crucially, it has also eliminated the statute of limitations for CSEA cases, paving the way for many more cases to be reported.

**Figure 4: Top 5 overall performers' rankings across categories<sup>13</sup>**

Country	PREVENTION			RESPONSE	
	Protective Legislation	Policies & Programmes	National Capacity & Commitment	Support Services & Recovery	Justice Process
United Kingdom	3	2	20	8	1
France	17	3	4	8	3
Sweden	20	4	23	2	9
Canada	1	1	3	17	11
South Africa	2	9	7	8	2

- Although the first and second iterations of the Out of the Shadows Index are not directly comparable, it is still possible to identify where prevention of and response to CSEA has gained momentum over the past three years and where progress has slowed. Overall, countries' **median scores have risen** between the first and second iterations of the index, but the **gap between the highest performing country and the lowest performing country has widened**. This gap in performance is particularly evident in the Support Services & Recovery category where the score spread between the highest performer (Indonesia) and the lowest (Cameroon) is over 90.
- There are a few indicators that are directly comparable between the first and second iterations of the index. Below, we explore how some of those indicators have shifted since 2019:
  - There has been a **23% increase in the number of countries collecting prevalence data on child sexual exploitation and abuse** since the 2019 index, indicating that governments are more focused on understanding the scale and scope of this issue, perhaps tied to the need to submit data around SDG indicator 16.2.3.

<sup>13</sup> If you wish to learn more about the methodology behind the index, please consult the Out of the Shadows Index 2022: Methodology Paper. <https://cdn.outoftheshadows.global/uploads/documents/Out-of-the-Shadows-Index-2022-Methodology-Paper.pdf>

- The number of countries that have **laws preventing adults from engaging in sexual activity—specifically penetration—with a minor have increased almost 10%**, although seven countries that prohibit sexual activity (involving penetration) with a girl under the age of consent, do not offer the same protection to boys.
- In the second iteration of the index, Economist Impact assessed the availability of sub-national programmes to support people troubled by their sexual thoughts about minors in addition to national programmes. This adjustment added two more countries – Australia and France – to the four high-income countries that already received credit. However, there has been **very little momentum to continue building support systems for potential offenders of all ages**.
- In 2019, 39 countries had a national strategy or action plan that specifically addressed child sexual exploitation and/or abuse. **Many countries' programmes have expired** since the first iteration of the research and, although there are indications that some countries – including Sweden – are in the process of developing new action plans/strategies, there has been a **36% decrease in the number of countries** receiving credit on this indicator. It is possible that Covid-19 has slowed progress on renewing and/or revising these plans.

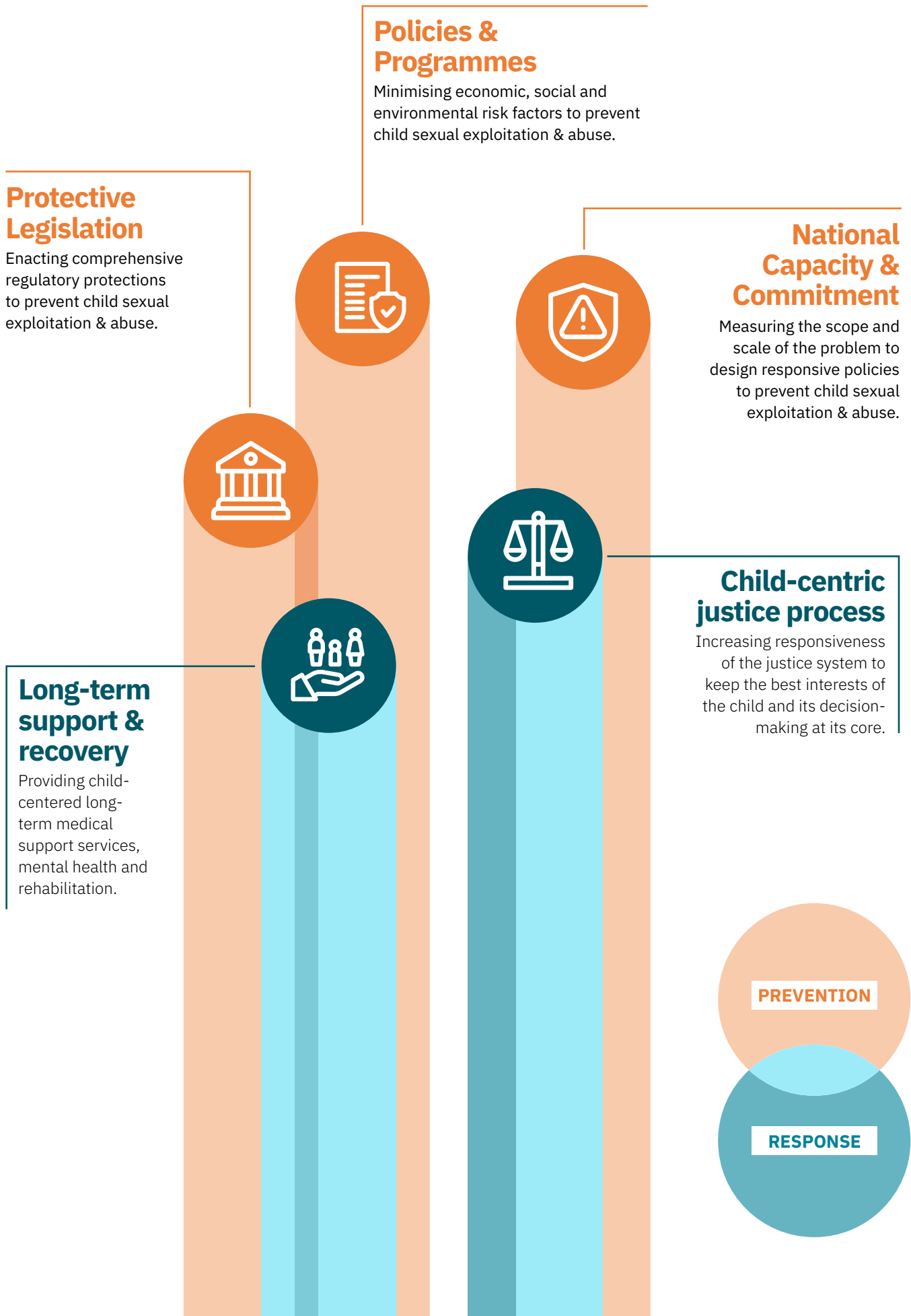
## How this report is organised

This report, like the index, is organised around the two main dimensions of prevention and response. The report also zooms in on the pillars supporting each of these dimensions. Under the prevention section, it takes a closer look at Protective Legislation; Policy and Programmes and National Capacity and Commitments. Under the response section, it examines Support Services and Recovery; and the Justice Process.

The KEY LEARNINGS from each pillar inform the report's recommendations for the interventions needed to create a holistic approach to combatting CSEA. Progress made on these learnings and recommendations is to be reviewed for the 2024 edition of the Out of the Shadows Index.



**Figure 5:** Pillars of a holistic prevention and response governance system for CSEA



An illustration of two large, stylized birds flying in a bright blue sky. The bird on the left is reddish-orange and has a small figure with long blonde hair sitting on its back. The bird on the right is yellow and has a small figure with brown hair sitting on its back. A white circle is centered in the upper part of the image, containing the text 'Main Findings' in a bold, dark teal font.

# Main Findings

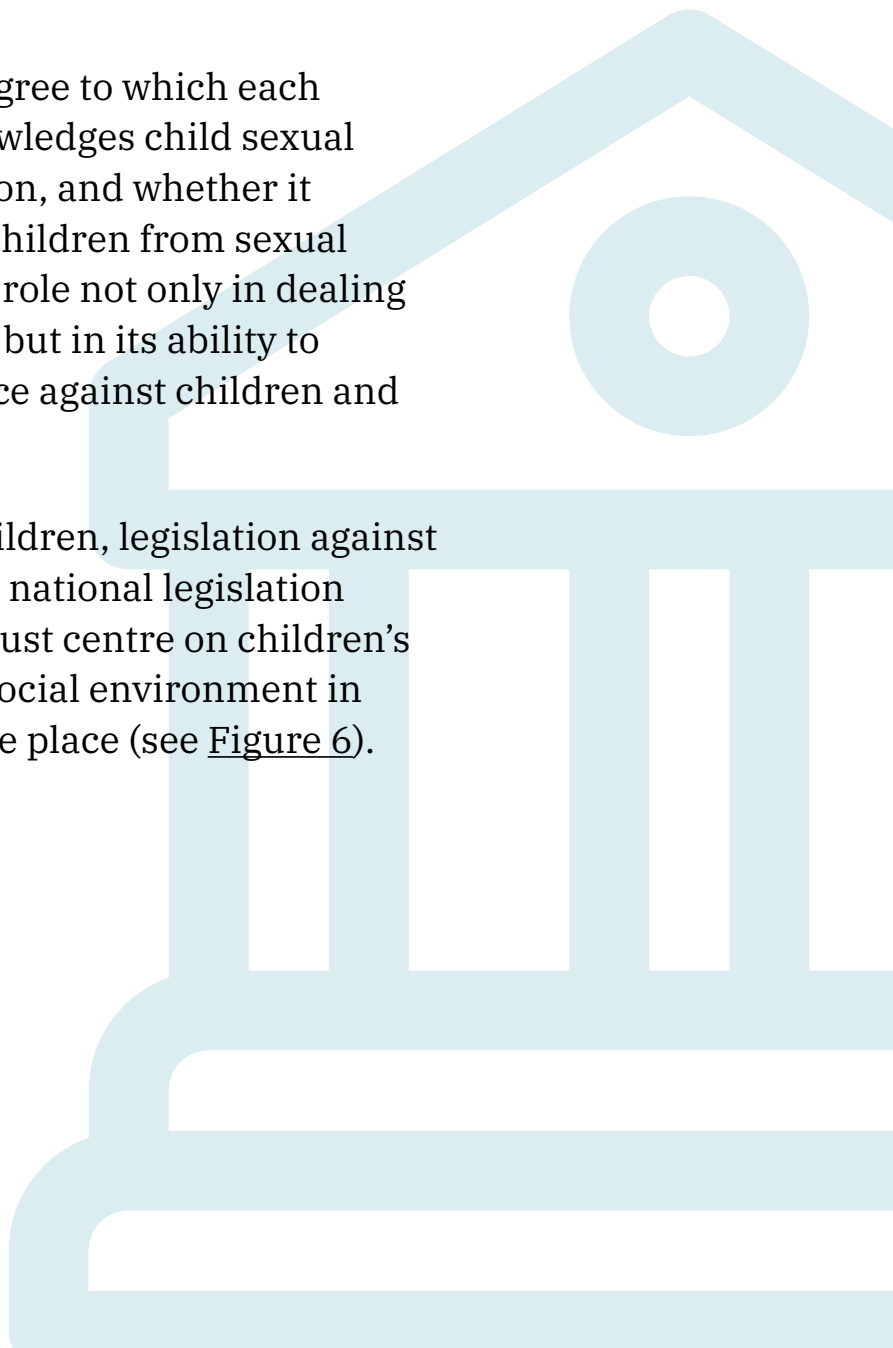
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## Protective Legislation

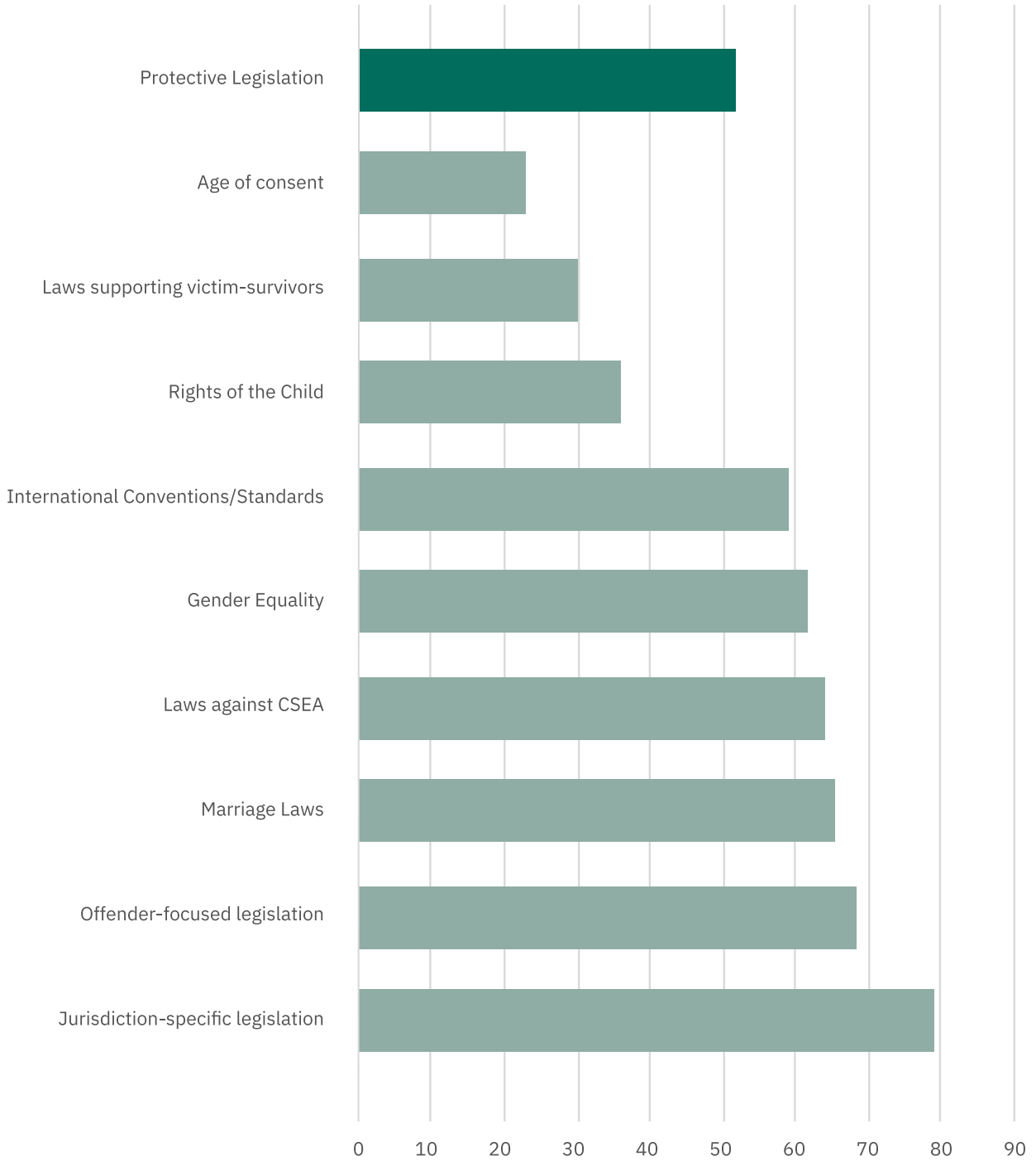
**KEY LEARNING** | Protective legislation works best when it is designed around the child's rights, takes into consideration local conditions and aligns with international standards

The index aims to capture the degree to which each country's legal framework acknowledges child sexual abuse and child sexual exploitation, and whether it provides critical protections for children from sexual violence. Legislation plays a vital role not only in dealing with CSEA once it has happened, but in its ability to address the root causes of violence against children and stop harmful behaviour.

In order to adequately protect children, legislation against CSEA requires harmony between national legislation and international standards. It must centre on children's rights and factor in the broader social environment in which exploitation and abuse take place (see [Figure 6](#)).



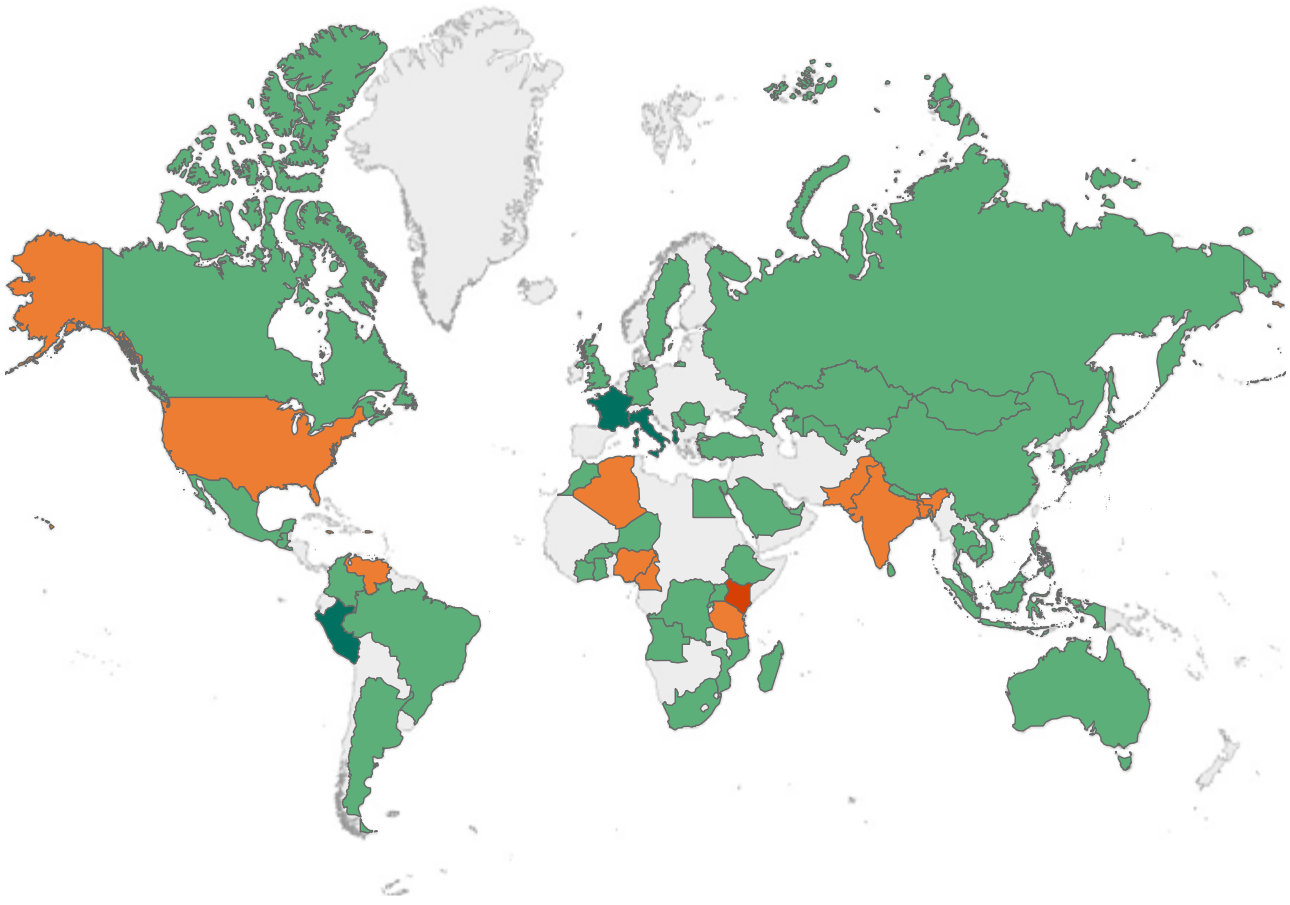
**Figure 6: Average global scores (100 = best child protection environment)**



## Aligning national law with international standards

International and regional instruments seek to establish a worldwide minimum level of protection for children from sexual exploitation and abuse. When states ratify international and regional conventions, they are signalling a commitment to combat CSEA. This commitment is then demonstrated by aligning one’s national laws with the international conventions. The goal is for all countries to adhere to the same clear standards and definitions, thus forming a shared global framework that will aid the prosecution of such crimes.<sup>14</sup>

**Figure 7: Ratification of relevant international human rights conventions<sup>15</sup>**



Scored 0-100 where 0 = the worst environment for children and 100 = the best environment for children

<sup>14</sup> Ligiero D et al, What works to prevent sexual violence against children: Executive Summary, 2019, <http://clouk.uclan.ac.uk/31565/1/Lorraine%20Radford%20Executive%20Summary.pdf>  
<sup>15</sup> Composite score, weighted average of the following indicators: “Convention on the Rights of the Child”, “Optional Protocol (Sale of Children)”, “Optional Protocol (Communications Procedure)”, “Protocol to Prevent, Suppress and Punish Trafficking in Persons (Palermo Protocol)”, “CEDAW”, “UNWTO Framework Convention on Tourism Ethics”, “WeProtect Statement of Action”.

Despite the **widespread ratification of international conventions** (see [Figure 7](#)), the level of **harmonisation between domestic law and international standards remains a challenge**. For example, while there has been near-universal ratification of The Convention on the Rights of the Child (CRC) – every country except the United States (US) has ratified the agreement – some countries have been slower than others to adopt some of the recommendations. One example relates to juvenile justice. The CRC sets out that state parties should establish a minimum age of criminal responsibility (MACR), the age at which a person can be charged with a criminal offence.<sup>16,17</sup> In 2019, the Committee on the Rights of the Child – the body of experts that monitors the implementation of the convention – recommended that states set this minimum age to at least 14.<sup>18</sup> To date, however, only two-in-five countries included in the index have aligned their MARC with this recommendation.

There have been some positive trends: of the countries in the index that have ratified the Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography (OPSC), 96% have criminalised the production of sexually explicit material containing a child. However, progress in this area is hampered by the lack of clear definitions. Over 40% of countries assessed for the index either do not explicitly define ‘child pornography’ or ‘child sexual abuse material’ in national legislation, or their definitions do not meet international standards.<sup>19</sup>

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<sup>16</sup> The minimum age of criminal responsibility means that children who commit an offence at an age below that minimum cannot be held responsible in a penal law procedure.

<sup>17</sup> The United Nations Convention on the Rights of the Child, <https://www.unicef.org.uk/wp-content/uploads/2016/08/unicef-convention-rights-child-uncrc.pdf>

<sup>18</sup> UN Treaty Body Database, [https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fGC%2f24&Lang=en](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fGC%2f24&Lang=en)































<sup>19</sup> This indicator assessed whether countries 1) provide an explicit definition of ‘child pornography’ in their national legislation and 2) the definition is aligned with international standards. The international standard used in this assessment is the definition of ‘child pornography’ provided by the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (“the Lanzarote Convention”) Article 20 (2). Although this is a regional convention, at least one non-European country has acceded to it to date. Furthermore, the relative recentness of the Convention informed our decision to use this as a benchmark.



**Figure 8: Assessing laws against CSEA**

This figure shows a selection of the questions used to assess countries on whether they have laws to protect children against sexual exploitation and abuse. It also shows how top scoring countries in this category perform across these questions. For additional information on the questions included in this category and to learn more about top scoring countries' services, please download the [Out of the Shadows Index](#).

 = YES  = NO

	Canada	South Africa	United Kingdom	Australia	India
Does the country have laws that prohibit an adult from engaging in sexual activities (involving penetration) with a minor who, according to the relevant provisions of national law, has not reached the legal age for sexual activities that covers both boys and girls?					
Does the country have a law that prohibits an adult from engaging in sexual activities (involving touching) with a minor who, according to the relevant provisions of national law, has not reached the legal age for sexual activities that covers both boys and girls?					
Does the country have a law that prohibits engaging in sex with a child where use is made of coercion, force or threats that covers both boys and girls?					
Does the country have a law that specifically prohibits engaging in sexual activities with a child who has a mental or physical disability that covers both boys and girls?					
Does the definition of 'child sexual abuse material' in the country's laws and/or regulations align with international standards?					
Do the country's laws have aggravated punishments for those who are in positions of trust who engage in sexual activities with children?					



## Ensuring legislation is responsive to children

Most countries have basic CSEA-specific laws prohibiting adults from engaging in sexual activity with minors. Many use ‘umbrella’ provisions in the belief that broader definitions give justice officials the ability to prosecute a wide range of sexual offences against children. But in reality, vague wording may prevent parents, guardians, educators and those working with children from understanding and identifying exactly what constitutes CSEA.

**Explicit, unambiguous definitions**<sup>20</sup> that clearly lay out the different types of CSEA, would give responders and prosecutors the tools they need to help them gather evidence and pursue charges. The idea is to avoid situations – including in situations of domestic violence – where police and prosecutors are reluctant to pursue cases because the effects of abuse are less visible, such as in cases of coercive control, stalking or grooming.<sup>21,22</sup> Today 95% of countries have laws explicitly prohibiting an adult from engaging in sexual activities involving penetration with a minor. The protection could go even further by defining and prohibiting sexual touching, which 32% of countries in the index have already done.

It is crucial that legislative approaches to countering CSEA not only support the rights of the child, but also the voice of the child. This means that **the child must be at the centre of all decisions about their life**. In the

case of CSEA, this may mean ensuring that a child does not pay the price for someone else’s crime. For example, the majority of countries in the index have passed specific legislation criminalising child trafficking, with over three quarters of countries prohibiting the recruitment, transport, transfer, harbouring and receipt of children for the purpose of prostitution or other sexual exploitation. Of those, **27 countries ensure that child victims of trafficking are not subjected to criminal procedures or sanctions**.

Globally, making laws more child-centred would not only fortify children’s welfare with legal guarantees, it may also encourage more people to come forward with their own knowledge or experience of exploitation and abuse.

Victims of abuse are not always able to talk about their experiences immediately after the event.<sup>23</sup> In fact, it may take years, sometimes even decades, for them to give an account of the trauma they experienced. Some countries have understood this and have consequently **eliminated the criminal statute of limitations** for CSEA cases,<sup>24</sup> paving the way for more reporting of sexual violence. Our assessment shows that more work is needed in this area, as 73% of the countries assessed for the index are yet to remove their statute of limitations (see [Figure 9](#)).

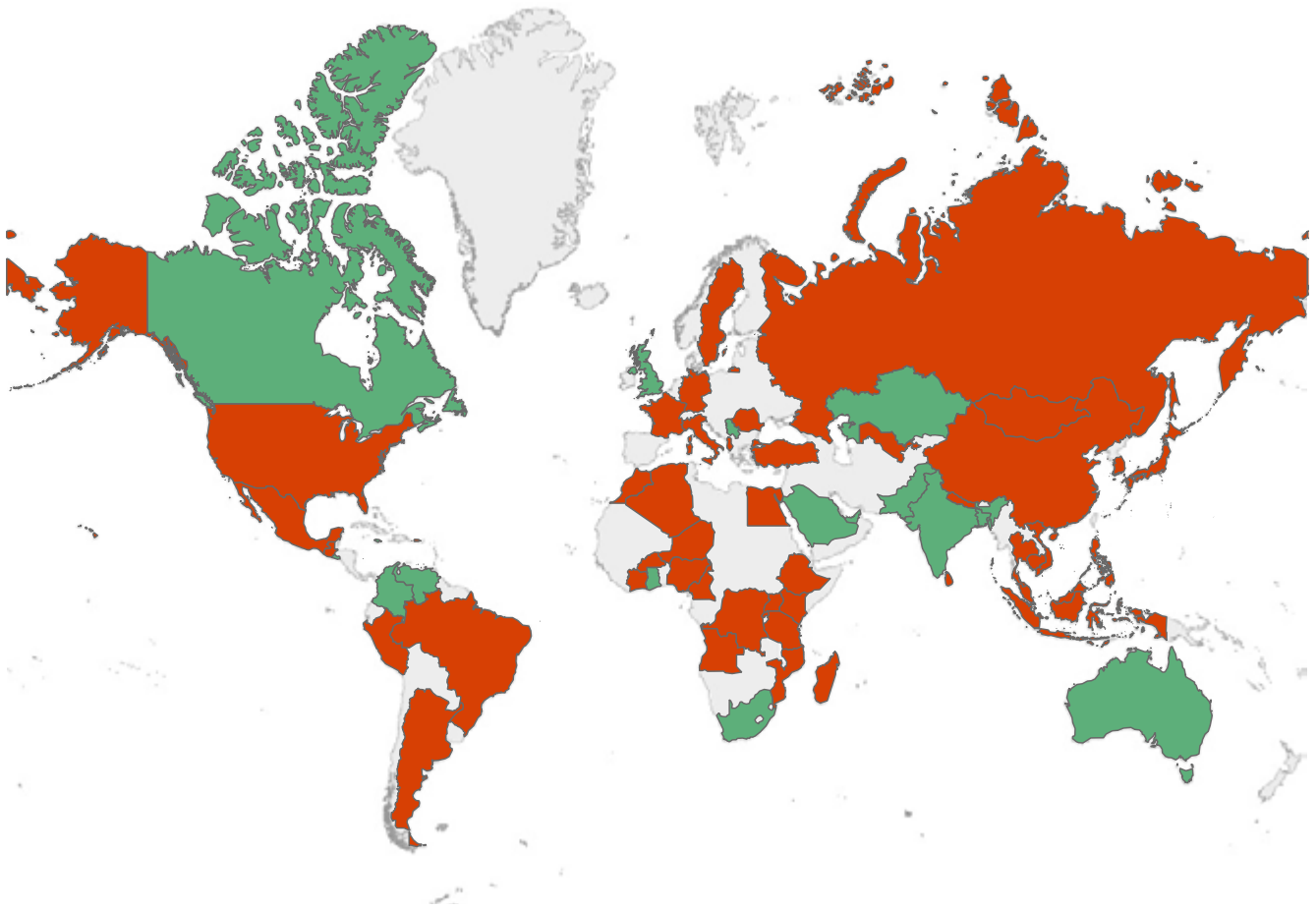
<sup>20</sup> Acts of sexual violence, which often occur together and with other forms of violence, can range from direct physical contact to unwanted exposure to sexual language and images. ‘Sexual violence’ is often used as an umbrella term to cover all types of sexual victimisation (<https://www.unicef.org/our-fight-against-sexual-exploitation-abuse-and-harassment#:~:text=Sexual%20abuse%20is%20the%20actual,Read%20about%20UNICEF's%20work>.)

<sup>21</sup> Bishop C & Bettison V (2018) ‘Evidencing domestic violence’, including behaviour that falls under the new offence of ‘controlling or coercive behaviour’. *The International Journal of Evidence & Proof*.

<sup>22</sup> Mcgorrery P, McMahon M & Burton K (2019) ‘Prosecuting non-physical abuse between current intimate partners: Are stalking laws an under-utilised resource?’ *Melbourne University law review*. 42. 551-592.

<sup>23</sup> McElvaney R, Disclosure of Child Sexual Abuse: Delays, Non-disclosure and Partial Disclosure. What the Research Tells Us and Implications for Practice, 2013, <https://www.nationalcac.org/wp-content/uploads/2016/10/Disclosure-of-child-sexual-abuse-Delays-non-disclosures-and-partial-disclosures.-What-the-research-tells-us-and-implications-for-practice.pdf>

<sup>24</sup> A law that restricts the time within which legal proceedings may be brought for a certain crime.

**Figure 9:** Elimination of the criminal statute of limitations for child sexual abuse cases

■ The country has not eliminated the statute of limitations ■ The country has eliminated the state of limitations

At risk children are often the least protected. Children with a disability are three to four times more likely to experience abuse than their peers.<sup>25</sup> Too often, they are unaware of their rights and therefore unable to speak up for themselves. They also have less access to education and services than their peers, and the people and measures within those spaces that can provide protection. This leaves them isolated and even more vulnerable to sexual violence. To make sure they are adequately

protected, it is important that there be explicit and specific mention of the particular rights and needs of children with disabilities in national child protection and sexual violence legislation and policies. Three-in-five of the countries assessed by the index (36 countries) do not have laws that specifically prohibit engaging in sexual activities with a minor who has a disability. However, some countries have taken action to protect children with disabilities. For example,

<sup>25</sup> NSPCC, Parents' and carers' views on how we can work together to prevent the sexual abuse of disabled children, 2019, <https://learning.nspcc.org.uk/media/1879/parents-and-carers-views-on-preventing-sexual-abuse-of-disabled-children.pdf>

Argentina,<sup>26</sup> Italy,<sup>27</sup> Thailand<sup>28</sup> and Uganda,<sup>29</sup> all have specific provisions in their penal codes that prohibit engaging in any sexual activities with a minor who has a mental or physical disability. In parallel, countries —

including Brazil,<sup>30</sup> the Democratic Republic of Congo<sup>31</sup> and Mongolia<sup>32</sup>— have set aggravated punishments for anyone engaging in sexual activity with a minor with a disability.

**Figure 10: Assessing broader protective legislation**

This figure shows a selection of the questions used to assess countries on whether they have protective legislation to prevent CSEA. It also shows how top scoring countries in this category perform across these questions. For additional information on the questions included in this category and to learn more about top scoring countries' services, please download the [Out of the Shadows Index](#).

	Canada	South Africa	United Kingdom	Australia	India
Does the country have a law ensuring that children who are victims of trafficking are not subjected to criminal procedures or sanctions for offences (e.g. prostitution) related to their situation as trafficked persons?	YES	YES	YES	NO	NO
Has the country eliminated the criminal statute of limitations for child sexual abuse cases?	YES	YES	YES	YES	YES
Do the country's laws include special provisions (e.g. extended imprisonment terms/sentencing conditions) for repeat CSEA offenders?	YES	NO	YES	YES	YES
Has the country set the minimum age of criminal responsibility for a sexual offense to an age of 14, as recommended by the United Nations Committee on the Rights of the Child?	NO	NO	NO	NO	NO
Does the country have a separate juvenile justice system that uses diversion, pre and post-trial detention as a last resort, and separation of children from adults in detention rather than putting juveniles into the adult justice system?	YES	YES	YES	YES	YES
Has the country enacted extraterritorial legislation against CSEA?	YES	YES	YES	YES	YES
Is double criminality a requirement to the use of existing legislation to pursue CSEA perpetrators?	YES	YES	YES	YES	NO
In cases where sexual abuse matters take place within a single sub-national area (i.e. a state or province), do federal laws apply?	NO	YES	NO	NO	YES

<sup>26</sup> Penal Code (Argentina), <https://www.argentina.gob.ar/normativa/nacional/ley-11179-16546/texto>

<sup>27</sup> Italian Penal Code, Article 609-bis and 609-ter, 2021, <https://www.altalex.com/documents/news/2014/10/28/dei-deliitti-contro-la-persona>

<sup>28</sup> Thailand Criminal Code BE 2499 (1956), 2021, <http://web.krisdika.go.th/lawHeadPDF.jsp?formatFile=pdf&hID=0>

<sup>29</sup> Uganda Penal code Act 1950, Updated to 9 May 2014, <https://media.ulii.org/files/legislation/akn-ug-act-ord-1950-12-eng-2014-05-09.pdf>

<sup>30</sup> Penal Code (Brazil), [http://www.planalto.gov.br/ccivil\\_03/decreto-lei/Del2848.htm](http://www.planalto.gov.br/ccivil_03/decreto-lei/Del2848.htm)

<sup>31</sup> Democratic Republic of Congo, Child protection law no 09/001 of 10 January 2009, article 170.4, 2009, [https://www.africanchildforum.org/clr/Legislation%20Per%20Country/DRC/drc\\_children\\_2009\\_fr.pdf](https://www.africanchildforum.org/clr/Legislation%20Per%20Country/DRC/drc_children_2009_fr.pdf)

<sup>32</sup> Criminal Code (Mongolia), 2015, Last modified 11-May-2017, <https://old.legalinfo.mn/law/details/16701>

## Responding to the broader social environment

The drivers of CSEA are complex and multi-layered. They are rooted in societal attitudes and belief systems that normalise or encourage the exploitation and abuse of women and children.<sup>33,34,35,36,37,38,39</sup> These in turn allow harmful practices like child marriage and female genital mutilation or cutting (FGM/C) to persist. Over half of the countries assessed (58%) have not explicitly criminalised these practices. While it can be difficult to legislate against social and cultural norms laws can, in time, influence the perception that people have of them and eventually change behaviours.<sup>40</sup>

When it comes to consent, children and adolescents do not always fully understand the consequences of engaging in sex at a young age. A **minimum age of consent** is therefore set to protect them from possible abuse and from unwanted consequences. The minimum age of consent varies widely between different countries. In some countries, you have to be married before any sexual relations are allowed, in others the age is extremely low, such as 13 in Niger<sup>41</sup> and 14 in the UAE.<sup>42</sup>

Around half of the countries in the index (27 countries) have set their minimum age of consent at between 16 and 18. Some provide what is called ‘close in age’ exemptions, which decriminalise consensual sex between people below the age of consent if the age gap between them is within a limited range set by the jurisdiction.<sup>43</sup> India’s age of consent is 18, and it makes no exceptions for small age gaps if those engaging in sex are below the age of consent.<sup>44</sup> Other countries do not apply the minimum age to both males and females. In Nepal, the age of consent is set at 18 for females, with no explicit mention of males.<sup>45</sup>

As for **child marriage**, even countries that have set a minimum age of marriage for both boys and girls, will allow exceptions. Over a third of the countries in the index (23 countries) have not eliminated all exceptions. In most of these countries, parents can give their consent to the marriage of their children even if they are under the legal age. This practice is most prevalent in the Americas and in parts of Sub-Saharan Africa.

33 Buller A et al (2020) ‘Systematic review of social norms, attitudes, and factual beliefs linked to the sexual exploitation of children and adolescents’, *Child Abuse & Neglect*, <https://www.sciencedirect.com/science/article/pii/S0145213420301265>

34 Perrin N et al (2019) ‘Social norms and beliefs about gender based violence scale: a measure for use with gender based violence prevention programs in low-resource and humanitarian settings’. *Conflict and Health* 13, 6 <https://conflictandhealth.biomedcentral.com/articles/10.1186/s13031-019-0189-x>

35 CDC, Sexual Violence: Risk and Protective Factors, <https://www.cdc.gov/violenceprevention/sexualviolence/riskprotectivefactors.html>

36 OXFAM International, Ten harmful beliefs that perpetuate violence against women and girls, <https://www.oxfam.org/en/ten-harmful-beliefs-perpetuate-violence-against-women-and-girls>

37 Steinhaus M et al (2019) ‘Measuring Social Norms Related to Child Marriage Among Adult Decision-Makers of Young Girls in Phalombe and Thyolo, Malawi’. *The Journal of adolescent Health*, <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6426797/>

38 Hudson, V M et al. ‘Sex & World Peace’. Columbia University Press, 2012.

39 UNDP, UNFPA, UN Women & UNV, Why do some men use violence against women and how can we prevent it?, 2013, [https://www.undp.org/content/dam/rbap/docs/Research%20&%20Publications/womens\\_empowerment/RBAP-Gender-2013-P4P-VAW-Report.pdf](https://www.undp.org/content/dam/rbap/docs/Research%20&%20Publications/womens_empowerment/RBAP-Gender-2013-P4P-VAW-Report.pdf)

40 Nadler J (2017) ‘Expressive Law, Social Norms, and Social Groups’ <https://www.law.northwestern.edu/faculty/fulltime/nadler/nadler-expressive-law-law-and-social-inquiry-2017.pdf>

41 Penal Code of the Republic of Niger, Minister of Justice, Edition January 2018, [http://www.justice.gouv.ne/images/lois/pdfs/Code\\_penal\\_et\\_CPP\\_Edition\\_Janvier\\_2018.pdf](http://www.justice.gouv.ne/images/lois/pdfs/Code_penal_et_CPP_Edition_Janvier_2018.pdf)

42 UAE Federal Penal Code, Article 354, <https://cdn.expatwoman.com/s3fs-public/UAE%20Penal%20Code.pdf>

43 A close-in-age exemption decriminalises consensual sex between two individuals who are both under the age of consent and whose age gap is within a set range. It can also decriminalise consensual sex between an individual who is under the age of consent and one who is over the age of consent if the age gap is within a set range.

44 The Protection of Children from Sexual Offences Act (India), 2012, [https://www.indiacode.nic.in/handle/123456789/2079?view\\_type=browse&sam\\_handle=123456789/1362](https://www.indiacode.nic.in/handle/123456789/2079?view_type=browse&sam_handle=123456789/1362)

45 The National Penal (Code) Act of Nepal, 2017, <http://www.moljpa.gov.np/en/wp-content/uploads/2018/12/Penal-Code-English-Revised-1.pdf>

In Niger, which has one of the highest rates of child marriage in the world,<sup>46</sup> exceptions are made for groups governed by customary law. Niger's Civil Code establishes a minimum age of marriage of 18 for boys and 15 for girls; however, under customary law, the minimum

ages are set at 14 for girls and 16 for boys.<sup>47</sup> Many unions in Niger take place under customary law and at a younger age than the official minimum marriage. Save the Children estimates that one-in-four girls were married before the age of 15.<sup>48</sup>

### CALL OUT BOX: Mind the gendered gap

Around the world, there has been a strong commitment to address gender equality at the national level. The vast majority of the countries assessed for the index (98%) have ratified the **Convention on Elimination of all forms of Discrimination against Women**. And 80% have developed national gender strategies that include provisions to empower women and girls economically.

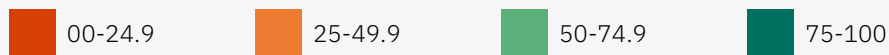
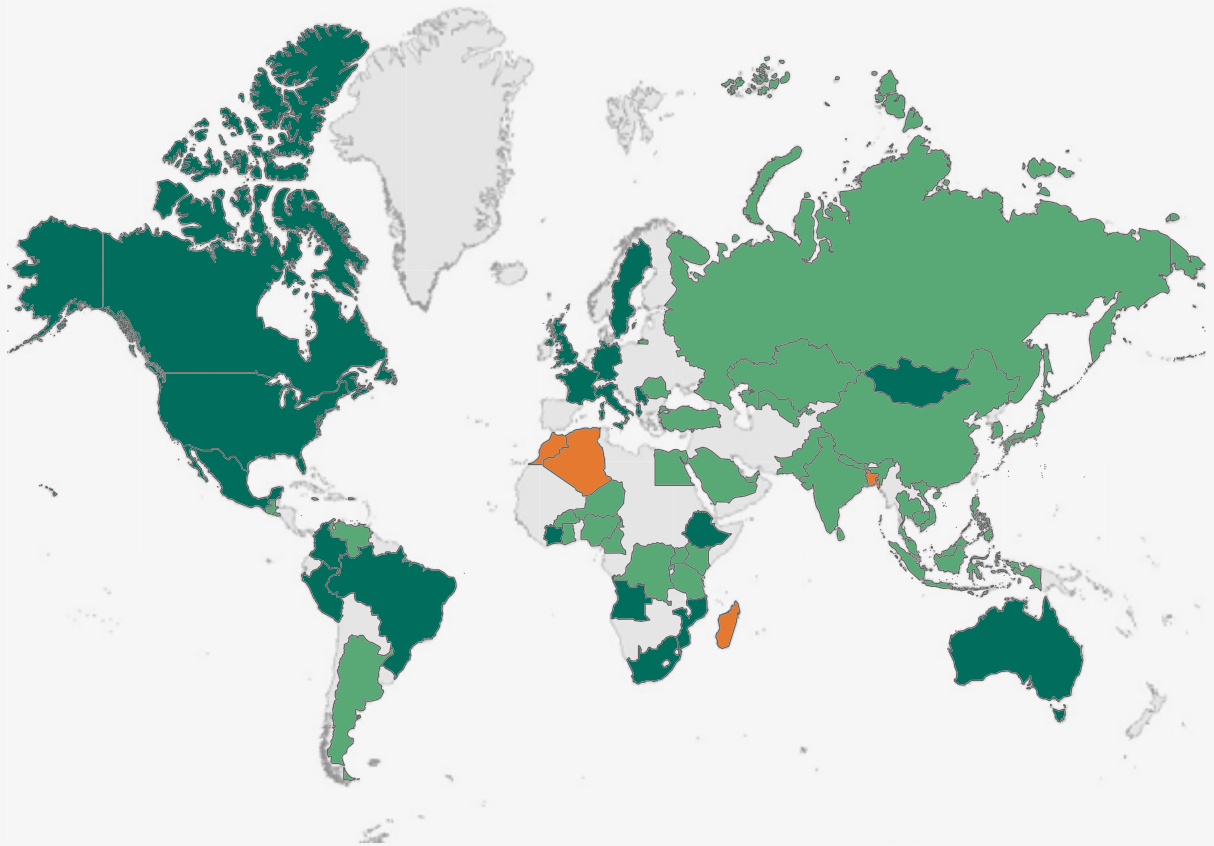
Despite this progress, gender-mainstreaming — the approach to policy-making that takes into account both women's and men's interests — in CSEA policy is inconsistent. Some countries continue to use gender-specific language in their laws, which often results in both girls and boys not being protected from sexual predators. While **93% of countries criminalise penetration between adults and female minors, only 82% prohibit similar acts between adults and male minors.**

Furthermore, gender tends to be overlooked in data collection because data is rarely disaggregated. However, separating data into smaller units, including by gender, sheds light on the complexities of CSEA and helps better identify patterns. Such comprehensive data on those most at risk of experiencing CSEA gives policymakers and planning agencies insight to design interventions that target the specific populations most in need.

<sup>46</sup> UNICEF, Ending Child Marriage in Niger, 2020, <https://www.unicef.org/niger/reports/ending-child-marriage-niger>

<sup>47</sup> Penal Code of the Republic of Niger. Minister of Justice. Edition January 2018, [http://www.justice.gouv.ne/images/lois/pdfs/Code\\_penal\\_et\\_CPP\\_Edition\\_Janvier\\_2018.pdf](http://www.justice.gouv.ne/images/lois/pdfs/Code_penal_et_CPP_Edition_Janvier_2018.pdf)

<sup>48</sup> Save the Children, Child marriage in Niger, <https://www.savethechildren.org.uk/content/dam/global/reports/advocacy/child-marriage-niger.pdf>

**Figure 11:** Gender equality and gender protection laws and policies<sup>49</sup>

Scored 0-100 where 0 = the worst environment for children and 100 = the best environment for children

<sup>49</sup> Composite score, weighted average of the following indicators: “CEDAW”, “laws against FGM/C”, “legal protections for LGBTQ rights”, “restricted physical integrity for women”, “restricted civil liberties for women”, “gender gap in educational attainment”, “strategy to promote gender equality”, “gender equality”.

# 2

## Policies & Programmes

**KEY LEARNING |** Effective policies and programmes that address social, economic and environmental conditions provide crucial avenues of action in the fight to eradicate sexual violence against children

Comprehensive and adequately enforced legislation is vital in the fight to eradicate sexual violence against children, but it is only one component. Policies and programmes that target the social, economic and environmental conditions in which CSEA takes place are equally important. Prevention programmes are increasingly available through CSEA education in schools. However, more can be done to target society more broadly. Programmes that look at a child's social and economic environment, as well as individual characteristics and behaviours, can be used to develop a comprehensive prevention approach for the individual, community and societal levels.<sup>50</sup>

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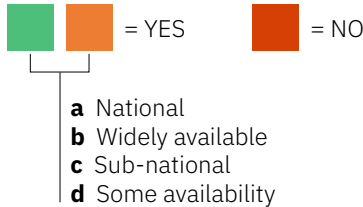
<sup>50</sup> CDC, The Social-Ecological Model: A Framework for Prevention, <https://www.cdc.gov/violenceprevention/about/social-ecologicalmodel.html>



**Figure 12: Assessing education & skills and services for offenders**

This figure shows a selection of the questions used to assess countries on whether they have policies and programmes needed to effectively combat CSEA. It also shows how top scoring countries in this category perform across these questions. For additional information on the questions included in this category and to learn more about top scoring countries' services, please download the [Out of the Shadows Index](#).

	Canada	United Kingdom	France	Sweden	South Korea
Does the country have education aiming to help children understand and respond to sexual violence/abuse?	a	a	a	a	a
Does the country have school-based dating violence prevention education?	a	a	a	a	a
Does the country provide training for school personnel aimed at preventing child sexual abuse?	c	c	c	c	a
Has the government or a government-affiliated organisation produced guidance for parents on strategies to prevent child sexual abuse?					
Has the government or a government-affiliated organisation produced guidance for youth-serving organisations on strategies to prevent child sexual abuse?					
Does the country have a programme to provide information and support for people troubled by their sexual thoughts about children and young people to cope with unwanted feelings?	b	b	d	b	
Has the country set up treatment programmes or other measures for adult sex offenders to prevent repeat offences?	b	b	b	b	b
Has the country implemented identification and referral for perpetrators of violence against children by healthcare providers?	a	c	a	a	a
Has the country set up a programme to treat youth for problematic sexual behaviour?	c	b		c	b



## Ensuring education is responsive to children's needs

It has been shown that when children and adolescents receive reliable, evidence-based, comprehensive sexuality education, sexual abuse can be prevented and there are significant benefits to society as a whole. This is because comprehensive sexuality education helps children and young people develop positive attitudes including respect for human rights, gender equality and diversity.<sup>51</sup>

**Educational programmes aimed at helping children understand and protect themselves from sexual abuse** are widely available: **85% of assessed countries have implemented such programmes** (see [Figure 10](#)). Education programmes can lead to concrete positive outcomes for children and adolescents. Notably, comprehensive sexuality education is associated with a lower rate of teenage pregnancy.<sup>52,53</sup> Across most regions, rates of teenage pregnancy have consistently declined in the past four decades. This decrease is particularly striking in South Asia and the Middle East & North Africa. In 2019, the rate in South Asia was a fifth of what it was in 1960 (dropping from 114 to 23); and, in the Middle East & North Africa, it was almost a quarter (going from 137 to 39).<sup>54</sup>

In contrast, school-based education on dating violence is lacking. **Dating violence** is a type of intimate partner violence between young people in a social or romantic relationship. Programmes addressing this type of violence, which work to instil healthy relationship dynamics and reduce victimisation amongst peers,<sup>55</sup> are found in 58% of the countries assessed. For example, in Japan, education on the prevention of “dating and domestic violence” is found in teaching materials in secondary and higher education as part of a National Plan to Strengthen the Prevention of Sexual Crime and Violence (2020).<sup>56</sup> Similarly, Rwanda’s Biology Curriculum has a specific unit, delivered across four comprehensive lectures to all lower secondary students, that aims to explain different ways couples can show love and affection, and explains safe sex and sexuality and healthy dating dynamics.<sup>57</sup>

<sup>51</sup> UNESCO, International technical guidance on sexuality education: An evidence-informed approach, 2018, [https://unesdoc.unesco.org/in/documentViewer.xhtml?v=2.1.196&id=p::usmarcdef\\_0000260770&file=/in/rest/annotationSVC/DownloadWatermarkedAttachment/attach\\_import\\_d8d4de18-19d0-4a35-8eb2-ab5eaa5ca5d3%3F\\_%3D260770eng.pdf&updateUrl=updateUrl4466&ark=/ark:/48223/pf0000260770/PDF/260770eng.pdf\\_multi&fullScreen=true&locale=fr#%5B%7B%22num%22%3A115%2C%22gen%22%3A0%7D%2C%7B%22name%22%3A%22XYZ%22%7D%2C0%2C842%2C0%5D](https://unesdoc.unesco.org/in/documentViewer.xhtml?v=2.1.196&id=p::usmarcdef_0000260770&file=/in/rest/annotationSVC/DownloadWatermarkedAttachment/attach_import_d8d4de18-19d0-4a35-8eb2-ab5eaa5ca5d3%3F_%3D260770eng.pdf&updateUrl=updateUrl4466&ark=/ark:/48223/pf0000260770/PDF/260770eng.pdf_multi&fullScreen=true&locale=fr#%5B%7B%22num%22%3A115%2C%22gen%22%3A0%7D%2C%7B%22name%22%3A%22XYZ%22%7D%2C0%2C842%2C0%5D)

<sup>52</sup> World Bank, The Social and Educational Consequences of Adolescent Childbearing, 2022, <https://genderdata.worldbank.org/data-stories/adolescent-fertility/>

<sup>53</sup> UNESCO, International technical guidance on sexuality education: An evidence-informed approach, 2018, [https://unesdoc.unesco.org/in/documentViewer.xhtml?v=2.1.196&id=p::usmarcdef\\_0000260770&file=/in/rest/annotationSVC/DownloadWatermarkedAttachment/attach\\_import\\_d8d4de18-19d0-4a35-8eb2-ab5eaa5ca5d3%3F\\_%3D260770eng.pdf&updateUrl=updateUrl4466&ark=/ark:/48223/pf0000260770/PDF/260770eng.pdf\\_multi&fullScreen=true&locale=fr#%5B%7B%22num%22%3A115%2C%22gen%22%3A0%7D%2C%7B%22name%22%3A%22XYZ%22%7D%2C0%2C842%2C0%5D](https://unesdoc.unesco.org/in/documentViewer.xhtml?v=2.1.196&id=p::usmarcdef_0000260770&file=/in/rest/annotationSVC/DownloadWatermarkedAttachment/attach_import_d8d4de18-19d0-4a35-8eb2-ab5eaa5ca5d3%3F_%3D260770eng.pdf&updateUrl=updateUrl4466&ark=/ark:/48223/pf0000260770/PDF/260770eng.pdf_multi&fullScreen=true&locale=fr#%5B%7B%22num%22%3A115%2C%22gen%22%3A0%7D%2C%7B%22name%22%3A%22XYZ%22%7D%2C0%2C842%2C0%5D)

<sup>54</sup> World Bank, The Social and Educational Consequences of Adolescent Childbearing, 2022, <https://genderdata.worldbank.org/data-stories/adolescent-fertility/>

<sup>55</sup> UNICEF, Action to end child sexual abuse and exploitation: A review of the evidence, 2020, [www.unicef.org/media/89026/file/CSAE-Report.pdf](http://www.unicef.org/media/89026/file/CSAE-Report.pdf)

<sup>56</sup> Ministry of Education, Culture, Sports, Science and Technology, Strengthening the Prevention of Sexual Crime/Violence (性犯罪・性暴力対策の強化について), 2020, [https://www.gender.go.jp/policy/no\\_violence/seibouryoku/pdf/policy\\_03.pdf](https://www.gender.go.jp/policy/no_violence/seibouryoku/pdf/policy_03.pdf)

<sup>57</sup> Ministry of Education of Rwanda, Ordinary Level Biology Syllabus (S1-S3), 2015, [https://reb.rw/fileadmin/competence\\_based\\_curriculum/syllabi/Upper\\_Secondary/SCIENCE/Biology\\_o\\_level\\_syllabus\\_QA\\_2\\_JC\\_SJ\\_edit\\_DJ\\_final\\_print\\_oct.pdf](https://reb.rw/fileadmin/competence_based_curriculum/syllabi/Upper_Secondary/SCIENCE/Biology_o_level_syllabus_QA_2_JC_SJ_edit_DJ_final_print_oct.pdf)

## Encompassing broader society in CSEA prevention education

**Most education interventions are directed at children.** While training on violence prevention for teachers and school personnel remains limited in many countries at the national level, it is provided widely by local jurisdictions. In the countries assessed by the index, seven countries offered nationwide education to teachers and school personnel. In contrast, 37 countries (almost two thirds of those assessed) provided this training at a sub-national level. However, over one-quarter of the countries (16 countries) do not provide training on CSEA prevention at all for educators.

In order to move forward on CSEA prevention, education must reach all segments of society, including parents and the community more broadly. The Canadian government has been particularly active on this front. Guidance for parents includes a booklet entitled *Sexual Abuse – What Happens When You Tell: A Guide for Children and Parents*, which was written for children who have been sexually abused and non-offending caregivers. The government has also developed a website called Stop Family Violence which provides

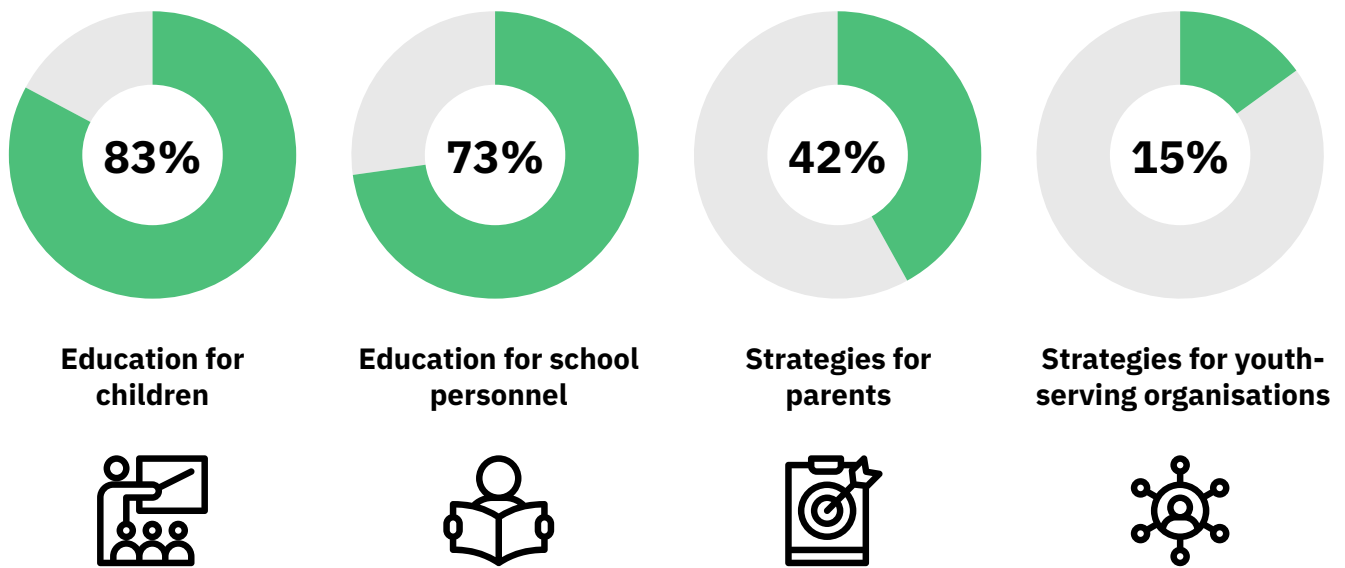
resources aimed at prevention.<sup>58</sup> In parallel, the Canadian Centre for Child Protection, in part funded by the Canadian government, implements the programme Commit to Kids: Helping Organizations Prevent Child Sexual Abuse, which helps youth-serving organisations reduce the risk of sexual abuse and create safer environments for children in their care.<sup>59</sup> The programme provides organisations with specific tools: from hiring and screening procedures, to reporting and staff training.

The majority of the countries assessed had focused less on this area, with few formal comprehensive efforts made to educate the community on CSEA prevention (see [Figure 13](#)).<sup>60</sup> Gaps also **persist in the provision of guidance to youth-serving organisations on strategies to prevent child sexual abuse:** the vast majority of assessed countries (85%) have yet to produce such guidance. Similarly, 58% of the countries assessed have not developed materials for parents on strategies to prevent child sexual abuse.

<sup>58</sup> Government of Canada, “Sexual Abuse - What Happens When You Tell: A Guide for Children and Parents”, <https://www.canada.ca/en/public-health/services/health-promotion/stop-family-violence/prevention-resource-centre/children/sexual-abuse-guide.html>; Government of Canada, “Family Violence Prevention Resources - Children”, <https://www.canada.ca/en/public-health/services/health-promotion/stop-family-violence/prevention-resource-centre/children/prevention-children-information-sheets.html>

<sup>59</sup> Commit to Kids, Helping Organizations Prevent Child Sexual Abuse, <https://www.commit2kids.ca/en/>

<sup>60</sup> Russell D, Higgins D & Posso A (2020) ‘Preventing child sexual abuse: A systematic review of interventions and their efficacy in developing countries’, *Child Abuse & Neglect* <https://www.sciencedirect.com/science/article/abs/pii/S0145213420300508>

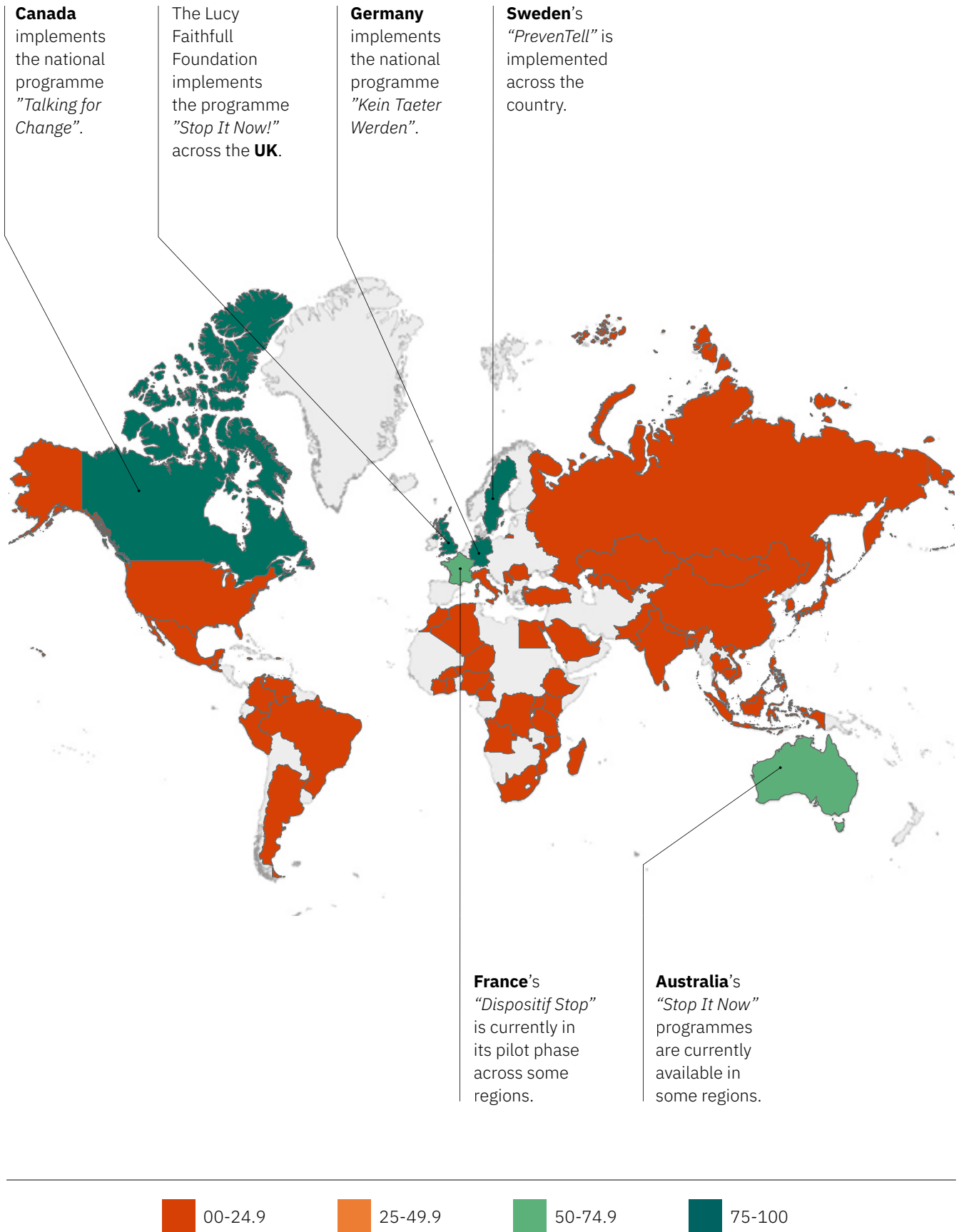
**Figure 13:** Coverage of CSEA prevention education strategies across different stakeholders

## Expanding prevention programmes

Working on prevention programmes that address community risks can serve as a deterrent and reduce reoffending. This is an essential building block in effective prevention strategies.<sup>61</sup> **Of the countries assessed, only six provide services or programmes for people troubled by their sexual thoughts about minors.** Of those, only four are government-affiliated (see [Figure 14](#)).

<sup>61</sup> Ligiero D et al (2019) 'What works to prevent sexual violence against children: Executive Summary', Together for Girls, <http://clou.uclan.ac.uk/31565/1/Lorraine%20Radford%20Executive%20Summary.pdf>

**Figure 14:** Availability of programmes for people troubled with sexual thoughts about minors



Scored 0-100 where 0 = the worst environment for children and 100 = the best environment for children

Similarly, **one in four countries (26%) have established rehabilitation programmes aimed at preventing reoffending by adult offenders.** One country that has taken action on this front is Malaysia which, in 2006, created a programme that seeks to prevent reoffending through counselling across the entire Malaysian prison system.<sup>62</sup>

Overall, however, programmes like these are rarely implemented systematically; they are often local ad-hoc initiatives.<sup>63</sup> In Australia, for instance, prison-based programmes to tackle reoffending include the New South Wales' Custody-Based Intensive Treatment Programme.<sup>64</sup> To date, however, no similar programmes were found in the Northern Territory, although The National Strategy to Prevent and Respond to Child Sexual Abuse 2021-2030 aims to systematise these programmes across the country.<sup>65</sup>

**Research has highlighted that rehabilitation programmes can be effective;** especially because sex offenders have a lower reoffending rate than offenders for many other types of crimes.<sup>66</sup> Furthermore, social isolation and exclusion do little to help the problem. In fact, they seem to increase the rate of sexual reoffending. Meanwhile, meaningful relationships and employment decrease the risks of reoffending.<sup>67,68</sup> Despite evidence supporting the use of rehabilitation, many countries have opted for a more punitive approach, including the use of non-evidence-based practices, such as chemical castration.

**Nine of the assessed countries have developed treatments and intervention services for children with problematic sexual behaviour** – this can be described as a range of sexual behaviours that are outside the developmental norm of a child.<sup>69</sup> In many

<sup>62</sup> Free Malaysia Today, "Rehab programme in prison vital for sex offenders", 14 October 2018. <https://www.freemalaysiatoday.com/category/opinion/2018/10/14/rehab-programme-in-prison-vital-for-sex-offenders/>

<sup>63</sup> We note that since the end of this research programme (April 2022) Argentina's Federal Penitentiary Service now implements a three-step therapy programme that covers individual diagnostic evaluation, therapy and recidivism prevention for adult offenders, implemented across 12 prisons throughout the country.

<sup>64</sup> NSW Bureau of Crime and Statistics Research, Crime and Justice Bulletin No 193, July 2016, [https://www.bocsar.nsw.gov.au/Publications/CJB/Report-2016-Custody-based-Intensive-Treatment-\(CUBIT\)-program-cjb193.pdf](https://www.bocsar.nsw.gov.au/Publications/CJB/Report-2016-Custody-based-Intensive-Treatment-(CUBIT)-program-cjb193.pdf)

<sup>65</sup> Duwe G (2018) 'Can circles of support and accountability (CoSA) significantly reduce sexual recidivism? Results from a randomized controlled trial in Minnesota', Journal of Experimental Criminology, <https://link.springer.com/article/10.1007/s11292-018-9325-7>

Commonwealth of Australia, National Strategy to Prevent and Respond to Child Sexual Abuse 2021-2030, 2021, <https://childsafty.pmc.gov.au/sites/default/files/2021-10/national-strategy-2021-30.pdf>

<sup>66</sup> Farmer M et al (2015) 'Understanding desistance from sexual offending: A thematic review of research findings', Probation Journal, <https://journals.sagepub.com/doi/10.1177/0264550515600545>

<sup>67</sup> Farmer M et al (2015) 'Understanding desistance from sexual offending: A thematic review of research findings', Probation Journal, <https://journals.sagepub.com/doi/10.1177/0264550515600545>

<sup>68</sup> Duwe G (2018) 'Can circles of support and accountability (CoSA) significantly reduce sexual recidivism? Results from a randomized controlled trial in Minnesota', Journal of Experimental Criminology, <https://link.springer.com/article/10.1007/s11292-018-9325-7>

<sup>69</sup> Berry Street, Problematic sexualised behaviour, [www.berrystreet.org.au/learning-and-resources/fact-sheets/problematic-sexualised-behaviour#:~:text=Problematic%20sexualised%20behaviour%20describes%20a.example%20sexualised%20conversations%20or%20gestures.](http://www.berrystreet.org.au/learning-and-resources/fact-sheets/problematic-sexualised-behaviour#:~:text=Problematic%20sexualised%20behaviour%20describes%20a.example%20sexualised%20conversations%20or%20gestures.)

cases, problematic sexual behaviours in children are transitory<sup>70</sup> and low reoffending rates indicate that such behaviours can be controlled and managed.<sup>71</sup>

**Two of the countries in the index have established rehabilitative services for children with problematic sexual behaviour at the national level.** This includes South Korea, where in 2022, the Ministry of Gender Equality and Family established a Cognitive Behavioural Therapy Programme for child and adolescent victims of sexual violence,<sup>72</sup> and the UK, which operates the National Clinical Assessment and Treatment Service support for children and young people displaying harmful sexual behaviour.<sup>73</sup>

**Other countries have designed programmes with local and/or limited availability.** For example, Australia's New Street Services in New South Wales provides therapeutic services for children and young people to assist them in understanding, acknowledging, taking responsibility for and ceasing harmful sexual behaviour.<sup>74</sup> In South Africa, the Teddy Bear Clinic in Johannesburg developed the Support Programme for Abuse Reactive Children, a programme to divert children aged six to 18 years with sexually harmful behaviours and those who have committed sexual offences from the criminal justice system on to a therapeutic programme.<sup>75</sup> There is, however, no evidence that these programmes are available across the country.

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<sup>70</sup> ATSA, Practice Guidelines for Assessment, Treatment, and Intervention with Adolescents Who Have Engaged in Sexually Abusive Behavior, 2021, [https://www.atsa.com/Members/Adolescent/ATSA\\_2017\\_Adolescent\\_Practice\\_Guidelines.pdf](https://www.atsa.com/Members/Adolescent/ATSA_2017_Adolescent_Practice_Guidelines.pdf)

<sup>71</sup> Rebecca L et al (2021) 'Changing the paradigm: Using strategic communications to promote recognition of child sexual abuse as a preventable public health problem', Child Abuse & Neglect, [www.sciencedirect.com/science/article/abs/pii/S0145213421001344?via%3Dihub](http://www.sciencedirect.com/science/article/abs/pii/S0145213421001344?via%3Dihub)

<sup>72</sup> Ministry of Gender Equality and Family, Cognitive Behaviour Program for Offenders of Children and Adolescents, 2021, <http://www.mogef.go.kr/kor/skin/doc.html?fn=6cfd9c3563f4e168ecd83a2d041bd83.hwp&rs=/rsfiles/202202/>

<sup>73</sup> NSPCC, Treating young high-risk harmful sexual behaviour. <https://learning.nspcc.org.uk/services-children-families/ncats>

<sup>74</sup> NSW Government, New Street Services, <https://www.health.nsw.gov.au/parvan/hsb/Pages/new-street-services.aspx>

<sup>75</sup> Impact Consulting, An Impact Evaluation of the Teddy Bear Clinic's Support Programme for Abuse Reactive Children, 2013, [https://theevaluationfund.org/wp-content/uploads/2019/02/288\\_TTBC-EVALUATION-REPORT-2013.pdf](https://theevaluationfund.org/wp-content/uploads/2019/02/288_TTBC-EVALUATION-REPORT-2013.pdf)



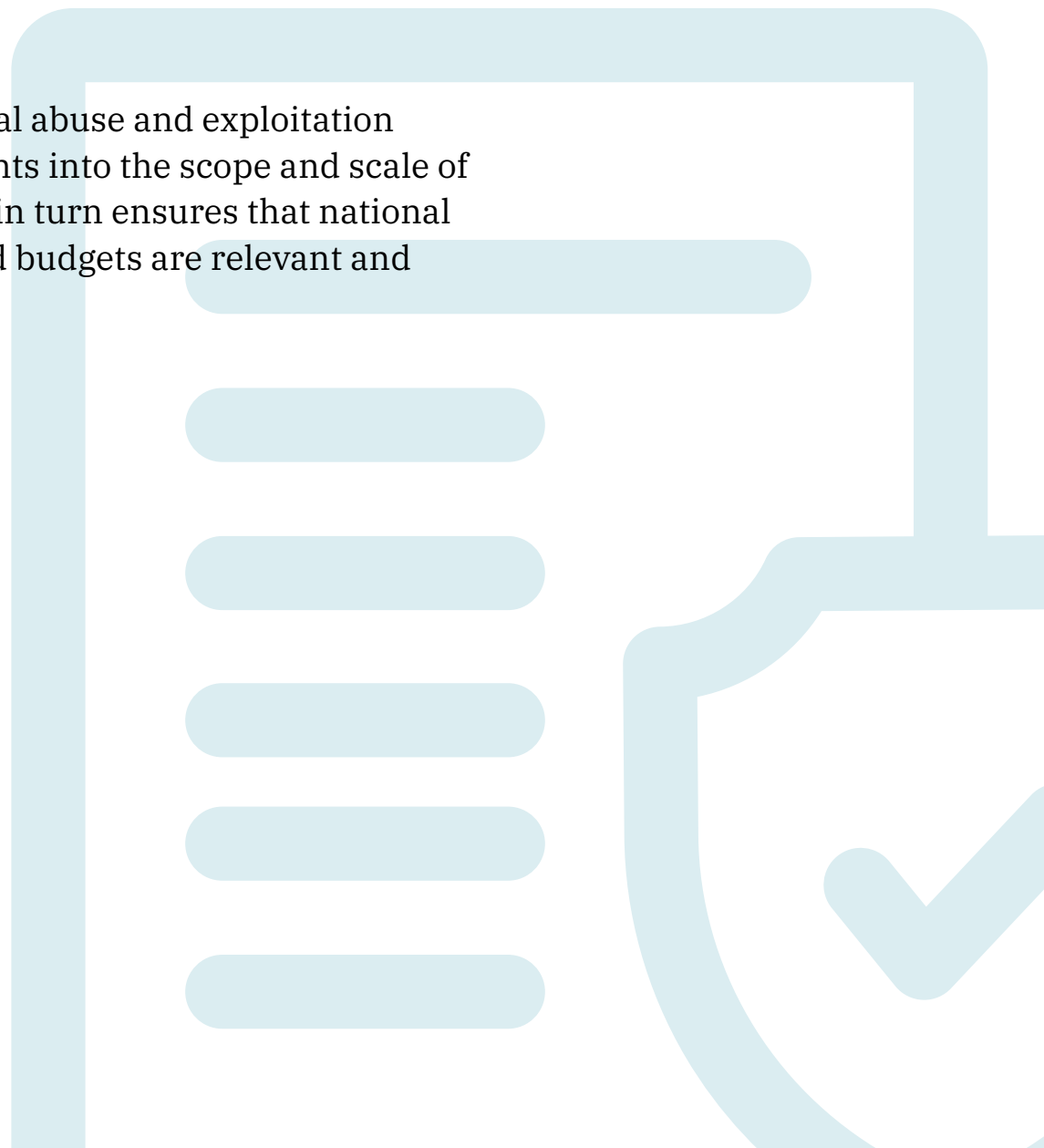
# 3

## National Capacity

## & Commitment

**KEY LEARNING** | Strengthening state capacity through effective data collection and specific national strategies helps governments better address CSEA



















































Data on child sexual abuse and exploitation provides key insights into the scope and scale of the problem. This in turn ensures that national policies, plans, and budgets are relevant and responsive.



**Figure 15: Assessing national capacity & commitment**

This figure shows a selection of the questions used to assess countries on whether they have the data and systems needed to effectively combat CSEA. It also shows how top scoring countries in this category perform across these questions. For additional information on the questions included in this category and to learn more about top scoring countries' services, please download the [Out of the Shadows Index](#).

 = YES     = YES, GENDER ONLY     = NO

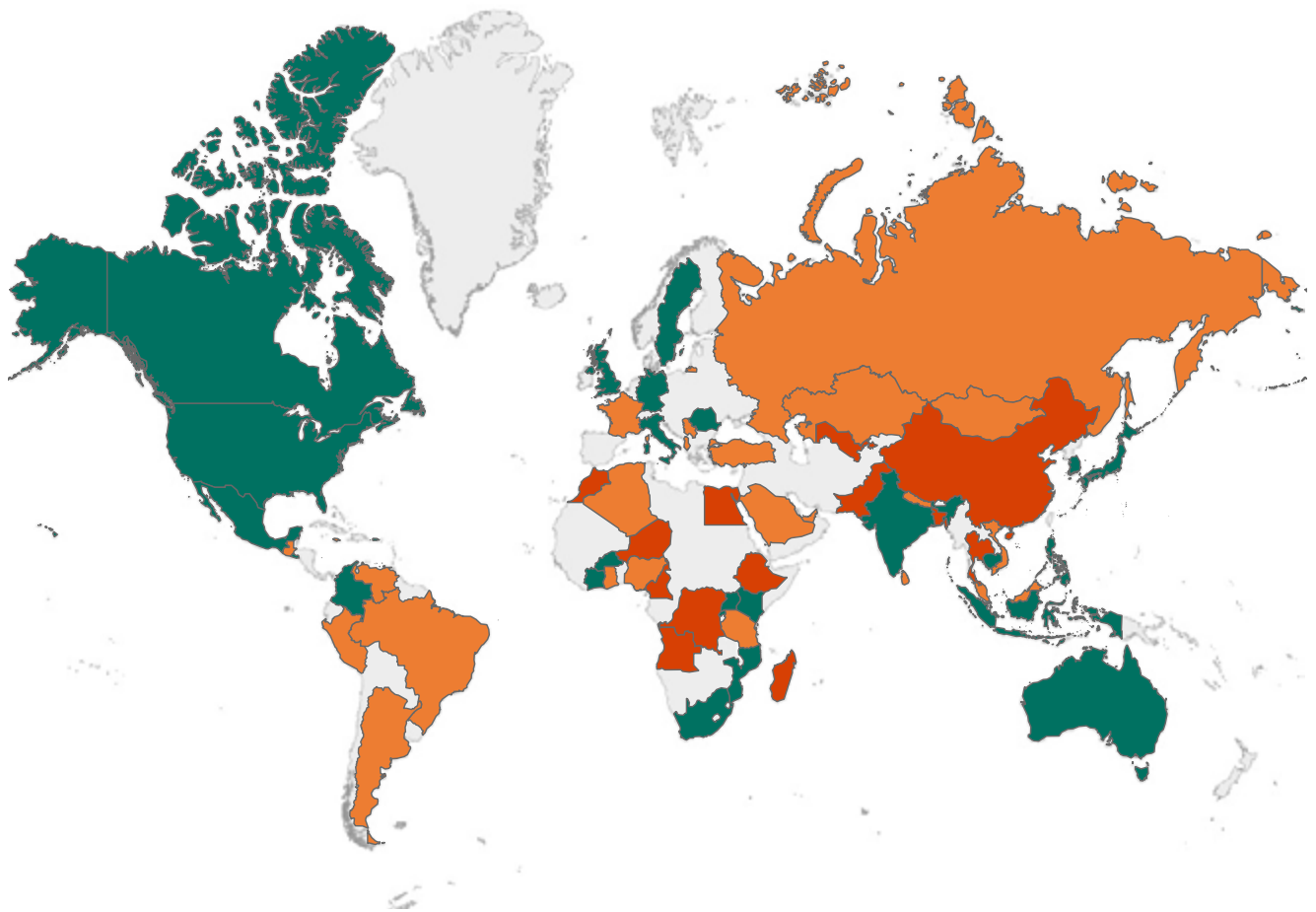
	Japan	South Korea	Canada	France	Kenya
Does the country have a specific national action plan or strategy to address CSEA?					
Does this strategy or action plan include participation from children and adolescents?					
Does this action plan or strategy reference a relevant funding plan?					
Does this action plan or strategy include child sexual exploitation and abuse online or does the country have a separate action plan or strategy that addresses CSEA online?					
Does the country have a national action plan or strategy to protect children against trafficking, including sexual exploitation in travel and tourism?					
Does the country's government (or an organisation accepted by the government or whose data is utilised by the government) collect data on prevalence of CSEA?					
Is that data disaggregated by gender and age of the victim?					
Is that data disaggregated by gender and age of the perpetrator?					
Has this data been released within the past three years?					
Does the country's government (or an organisation accepted by the government or whose data is utilised by the government) collect data on reported cases of CSEA?					

## Tracking political commitment and state capacity

**Data availability on cases and experiences of CSEA is increasing, signalling a growing commitment** by countries to understand and prevent child sexual exploitation and abuse. Over the last decade, significant efforts have been made to improve data for low- and middle-income countries through the Demographic and Health Surveys (DHS) Programme, Multiple Indicator Cluster Surveys (MICS) and Violence against Children and Youth Surveys (VACS).

Globally, there are ongoing efforts to track and catalogue the prevalence of CSEA. **Almost half of the countries assessed (45%) are collecting data**, an increase of 23% since the last iteration of the OOSI. Similarly, almost three-quarters of countries (73%) collect and publish data on the number of recorded and reported cases of CSEA (see [Figure 16](#)).

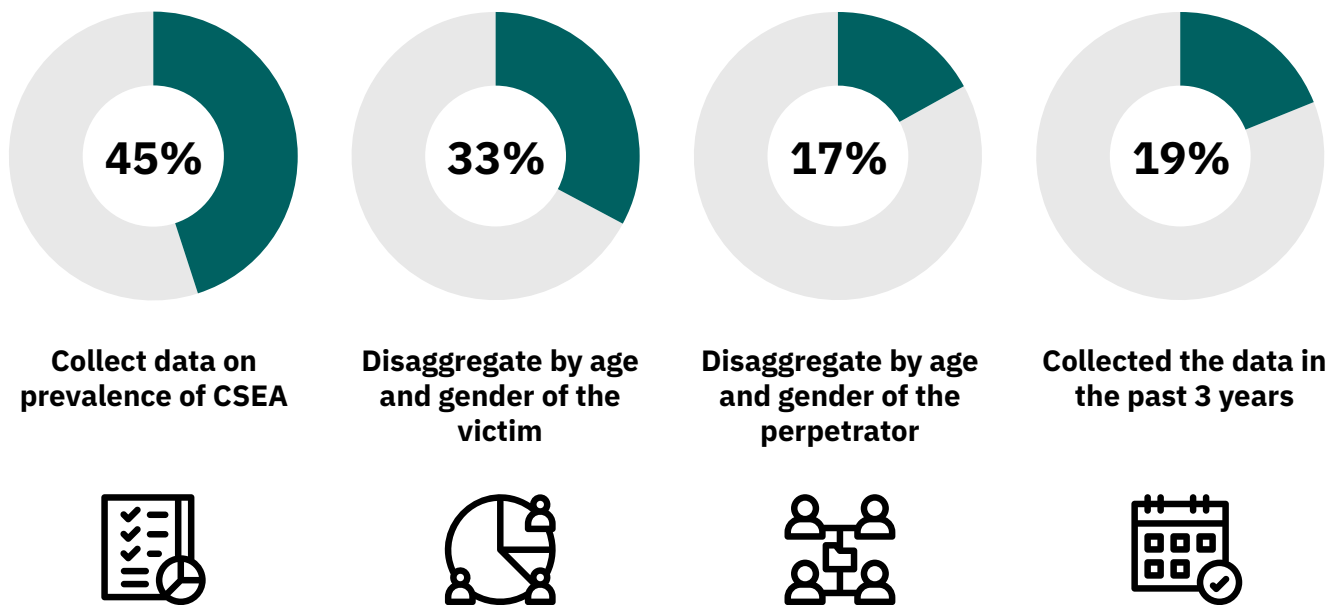
**Figure 16:** Countries collecting prevalence and/or reported cases data



■ No data collection    
 ■ Collects prevalence OR reported case data    
 ■ Collects prevalence AND reported case data

**State capacity, however, is limited by a lack of disaggregated data and slowing progress on renewing and/or revising national strategies that address CSEA.** In order to understand the complexities of CSEA, it is important to disaggregate data. Separating data into smaller units including by age and gender gives stakeholders a clearer picture of the experience and drivers of CSEA. In turn, this helps stakeholders design appropriate and targeted interventions (see [Figure 17](#)). While 74% of the countries that collect data disaggregate it by the gender and age of the victim, limited insights are provided on the gender and age of the perpetrator (37%). Another challenge is making sure data is up-to-date; **fewer than one-fifth (19%) of the countries in the index collected prevalence data within the past three years.**

**Figure 17:** Limitations to national prevalence data collection efforts



Note: Figure 17 shows what percentage of the 60 countries covered in the OOSI collect prevalence data and disaggregate it, and how the percentage of countries who have collected this data in the past three years.

**A lack of consistency in the frameworks used by countries to track the prevalence of CSEA further hinders our understanding of the scale and scope of the problem.** Each country tends to use its own definition of CSEA and there are variations in terms of methodologies, sampling strategies and responsible agencies. This inconsistency is particularly concerning as CSEA continues to evolve in an online setting that is not confined by national borders.

The drafting of strategies/action plans to end CSEA has slowed down, with **fewer than half of countries assessed (42%) having a strategy to end CSEA.** It is possible that the Covid-19 pandemic has forced countries to de-prioritise efforts to develop or update their strategies. Still, there is evidence that some countries are in the process of finalising their new action plans. For example, Sweden is in the process of developing a new strategy to combat all forms of child abuse which it aims to finalise by the end of 2022.<sup>76</sup>

Across the 25 countries that do have a strategy and/or action plan to address CSEA, **there are substantive gaps in both integrating the voices of children and youth into process and ensuring there is a clear funding plan to implement** the provisions of the strategy. Fewer than two-in-five (36%) of the countries that do have strategies have clearly included children and adolescents in the drafting process, and just two-in-five countries with strategies have clear funding plans. A good example of inclusivity is Australia's National Strategy to Prevent and Respond to Child Sexual Abuse 2021-2030, which was developed in direct consultation with victim-survivors, Aboriginal and Torres Strait Islander young peoples, youth with disabilities, LGBTQIA+ youth, and youth living in regional and remote communities. This ensures that measures are implemented in a way that is responsive and specific to their needs.<sup>77</sup>

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<sup>76</sup> Government of Sweden, Government appoints Inquiry Chair to develop national strategy to prevent and combat violence against children, 2021, <https://www.government.se/press-releases/2021/06/government-appoints-inquiry-chair-to-develop-national-strategy-to-prevent-and-combat-violence-against-children/>

<sup>77</sup> Australian Government, National Office of Child Safety, National Strategy to Prevent and Respond to Child Sexual Abuse, <https://childsafety.pmc.gov.au/what-we-do/national-strategy-prevent-child-sexual-abuse#:~:text=These%20are%3A,children%20with%20harmful%20sexual%20behaviours>

## CALL OUT BOX: Better together – collaborating with civil society

Across the globe, civil society provides the necessary link on the ground for the implementation of government programmes that seek to prevent and respond to CSEA. **These organisations are filling the gap where state capacity is lacking when it comes to comprehensive education programmes.**

In the UK, the Lucy Faithfull Foundation – a government-affiliated charity dedicated solely to preventing CSEA – provides an online child sexual exploitation and abuse awareness learning programme for parents, carers and professionals.<sup>78</sup> The Foundation also manages Stop It Now!, a programme providing information and support for people troubled by their sexual thoughts about children across the UK and Ireland. Similarly, T-Marc, one of Tanzania’s largest NGOs, delivers education on CSEA prevention to parents as part of its Families Matter! project.<sup>79</sup>

**Organisations, particularly in the Global South, are also undertaking important projects to try to understand the prevalence of CSEA** and creating data for use and comparison across countries. A key example is the Disrupting Harms programme, which aims to better understand how digital technology facilitates the sexual exploitation and abuse of children in 13 countries across Sub-Saharan Africa and Asia.<sup>80</sup>

**Governments recognise that civil society organisations are a key catalyst for change. Nearly all countries (85%) formally engage civil society organisations in agenda setting and implementation,** via working groups and consultations. The Colombian government, for instance, is leading the design of a National Action Plan to End Violence Against Children in consultation with the Presidential Council for Children and Adolescents and civil society organisations and academics.<sup>81</sup> Similarly, Sri Lanka drafted its National Action Plan against Human Trafficking (2021-2015) with input from local NGOs, academics and other relevant experts in February 2021.<sup>82</sup>

<sup>78</sup> Stop it Now, The Lucy Faithfull Foundation, <https://www.stopitnow.org.uk/how-we-prevent-child-sexual-abuse/the-lucy-faithfull-foundation/>

<sup>79</sup> T-Marc Tanzania, Families Matter! Project, <https://tmarc.or.tz/projects/families-matter-project-fmp-i/>

<sup>80</sup> End Violence Against Children, Disrupting Harm, <https://www.end-violence.org/disrupting-harm>

<sup>81</sup> End Violence Against Children, Colombia, [https://www.end-violence.org/impact/countries/colombia#:~:text=The%20Colombian%20Institute%20for%20Family%20Welfare%20\(ICBF\)%20was%20appointed%20the,a%20Pathfinding%20country%20in%202020.](https://www.end-violence.org/impact/countries/colombia#:~:text=The%20Colombian%20Institute%20for%20Family%20Welfare%20(ICBF)%20was%20appointed%20the,a%20Pathfinding%20country%20in%202020.)

<sup>82</sup> US Department of State, Trafficking in Persons Report - Sri Lanka, 2021, <https://www.state.gov/reports/2021-trafficking-in-persons-report/sri-lanka/>

# 4

## Support services

## & recovery

**KEY LEARNING | Building age-appropriate short- and long-term support systems for children affected by CSEA is key to their recovery**

Survivors of CSEA can experience a range of negative physical and psychological effects, both in the short and long term. Responding to both these life stages is essential for the physical and mental health of victim-survivors. There must be **a set of immediate and coordinated response interventions for both victim-survivors and their non-offending caregivers**, as well as interventions that address the long-term effects of CSEA. Both are crucial for healing.<sup>83</sup>

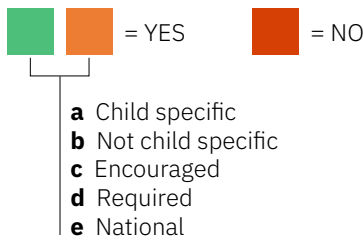
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<sup>83</sup> Shuman T (2021) 'Intervention Strategies for Promoting Recovery and Healing from Child Sexual Abuse', doi10.5772/intechopen.97106, <https://www.intechopen.com/chapters/75990>

**Figure 18: Assessing support services & recovery**

This figure shows a selection of the questions used to assess countries on support services and recovery support systems for victim-survivors. It also shows how top scoring countries in this category perform across these questions. For additional information on the questions included in this category and to learn more about top scoring countries' services, please download the [Out of the Shadows Index](#).

	Indonesia	Sweden	Brazil	Japan	Turkey
Does the country have sexual assault referral programmes or centres that provide information and emergency response assistance to victims?	b	a	a	a	a
Does the country have crisis centres or hospitals that provide free examinations and other treatment/testing following sexual abuse (e.g. testing for HIV and other sexually transmitted diseases, emergency contraception)?					
Has the country's government or an organisation accepted by the government produced guidelines on the clinical evaluation of children and young people who may have been sexually abused?					
Does the state require or encourage the use of multi-disciplinary teams when responding to or investigating cases of child sexual abuse and exploitation?	d	d	c	d	d
Does the country's government or a professional body in the country provide guidelines or training for social workers (or other applicable child services workers) working on CSEA cases?					
Does the country have a legal mechanism to provide victim compensation?					
Does the country provide free follow-up medical care for children who have been victims of CSEA?					
Does the country provide mental health services for children who have been victims of child sexual abuse and exploitation?	e	e	e		e
Does the country collect data on help-seeking for lifetime childhood sexual violence?					

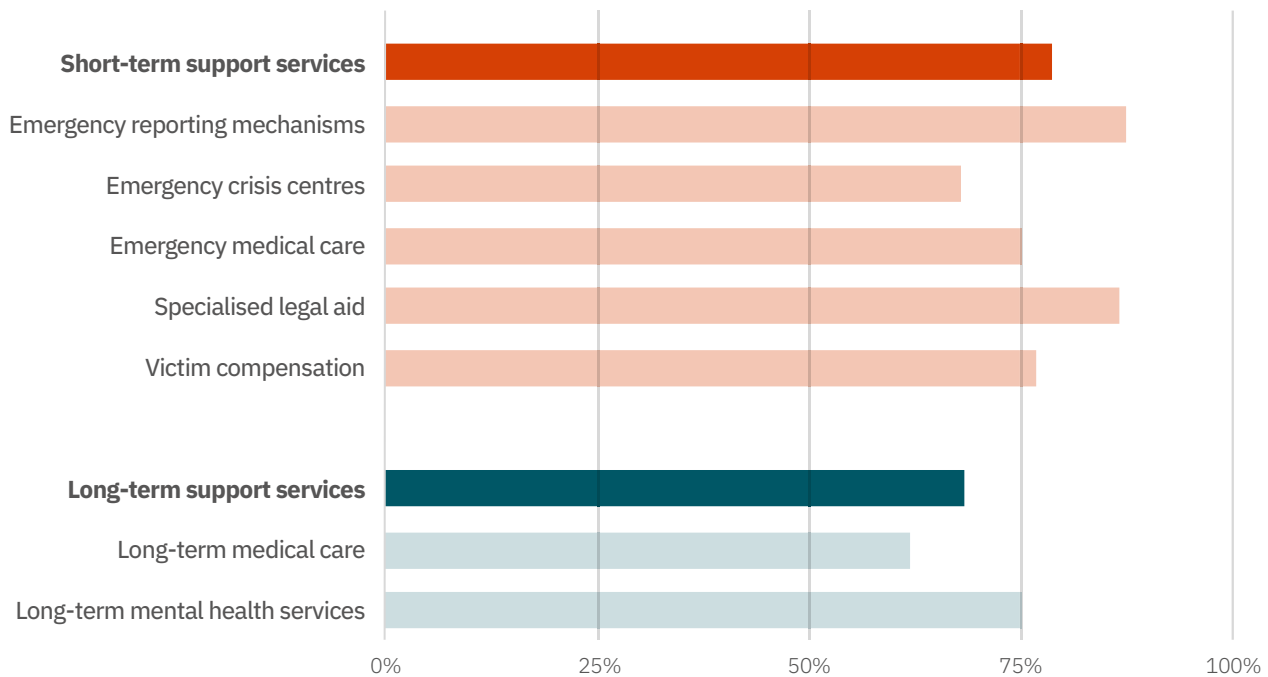




## Strong emergency support services across the board

When it comes to responding to CSEA, countries tend to have **strong short-term response systems**<sup>84</sup> (see [Figure 19](#)). These include helplines and channels through which to report cases of or concerns over CSEA. Almost **nine in ten countries were found to have created a helpline**, while **70% also operated mobile or chat options** to improve accessibility.

**Figure 19:** Availability of short- and long- term response services



Many countries ranked highly on providing physical spaces, such as sexual assault referral centres or rape crisis centres, that provide information and emergency response assistance including medical and psychological care. Over two thirds (68%) of countries provide such centres, which also double as emergency shelters for victims of violence. When it comes to

<sup>84</sup> Chiyong Cha, Mi-ran Lee (2022) 'Healing from sexual violence among young women in South Korea', *International Journal of Mental Health Nursing*, <https://www.tandfonline.com/doi/abs/10.1080/10538712.2019.1574945>

children affected by sexual violence, one third of the countries have centres that offer dedicated or specialised emergency support services for children. Romania, for example, has established specialised centres for child trafficking victims and unaccompanied children returning to the country.<sup>85</sup> These centres provide medical, psychological, social and legal assistance. Additionally, there are 47 emergency centres for abused, neglected, exploited or trafficking children, managed by each county authority.<sup>86</sup>

**In most cases, support services for children are integrated into rape crisis centres for women. This integration can result in a deficit of specialised services for boys.** For example, Egypt has sexual assault referral centres across the country that provide information and emergency response assistance to female victims, including young girls. Most of these are facilitated through the National Council for Women.<sup>87</sup> These shelters welcome dependent male children of female victims up to a certain age, but there is no evidence of such programmes or centres for young boys who themselves are victims of sexual violence.

## Embedding long-term recovery in response systems

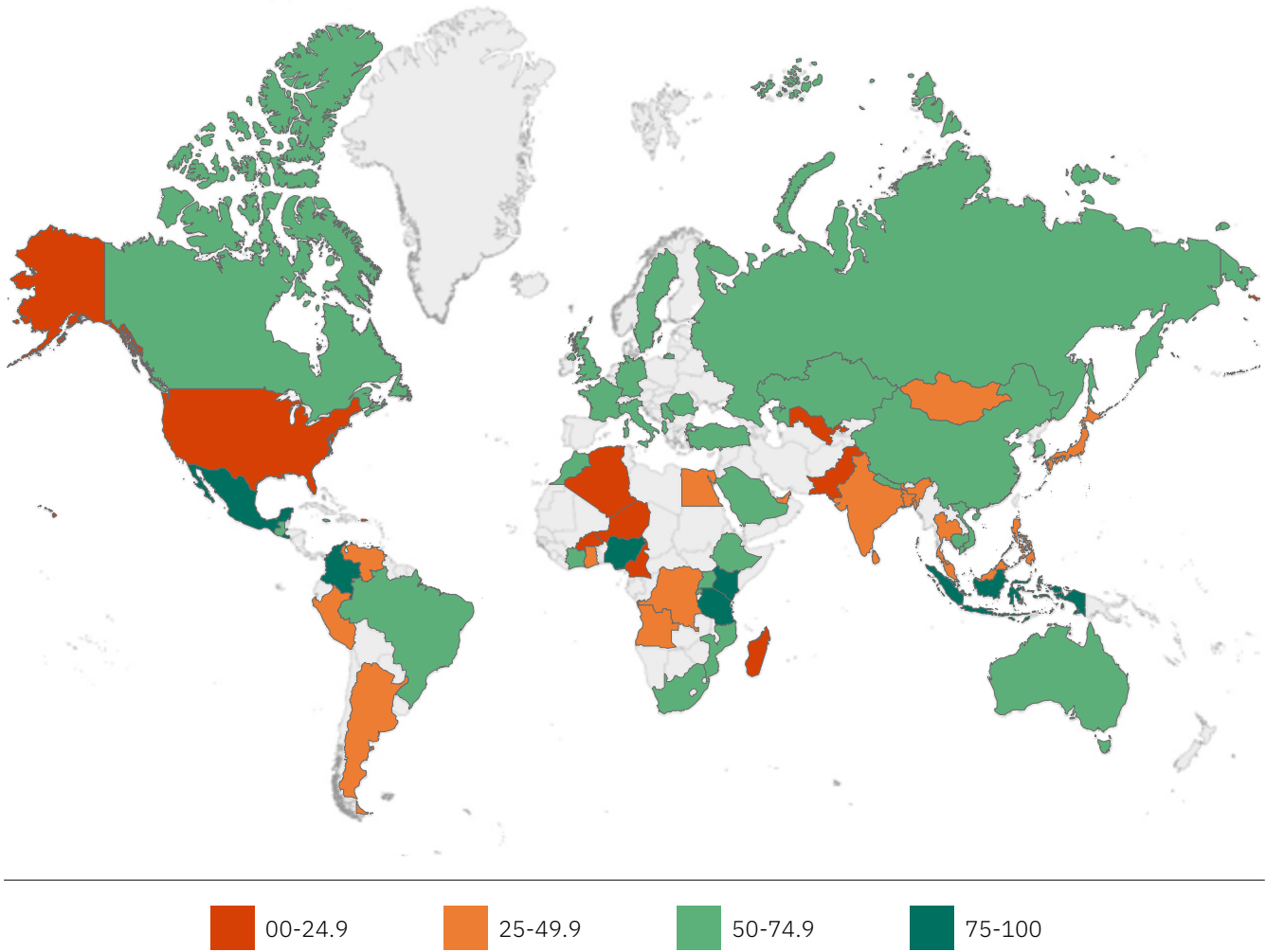
In addition to emergency services, responses that also focus on the long-term physical and psychological consequences of CSEA are essential for recovery. To understand whether or not such support services are provided, we assessed the availability of free follow-up medical care and mental health services for victim-survivors. We also assessed the collection of data on the ways in which victim-survivors sought help, in addition to the nature of the help they received. This assessment showed that the availability of **long-term response systems is weaker than that of short-term response systems, with only 13%** of countries scoring in the top two quintiles (Figure 20).

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<sup>85</sup> National Authority for Child Protection and Adoption (ANPCA), Order no. 89/2004 for the approval of the Mandatory Minimum Standards regarding the emergency reception centre for abused, neglected and exploited children, <https://lege5.ro/Gratuit/guztmnbt/ordinul-nr-89-2004-pentru-aprobarea-standardelor-minime-obligatorii-privind-centrul-de-primire-in-regim-de-urgenta-pentru-copilul-abuzat-neglijat-si-exploatat?d=2022-03-25>

<sup>86</sup> ECPAT, Global Monitoring Report: Romania, [https://ecpat.org/wp-content/uploads/2021/08/A4A\\_V2\\_EU\\_ROMANIA-1.pdf](https://ecpat.org/wp-content/uploads/2021/08/A4A_V2_EU_ROMANIA-1.pdf)

<sup>87</sup> National Council for Women, Violence Against Women, 2012, <http://ncw.gov.eg/wp-content/uploads/2016/05/en17.pdf>

**Figure 20: Countries' preparedness to support victim-survivors of CSEA long-term<sup>88</sup>**

Scored 0-100 where 0 = the worst environment for children and 100 = the best environment for children

This gap exists primarily because, despite nearly two-thirds of assessed countries providing long-term medical and mental health care, there is little scrutiny of whether these systems are effectively delivering services. **The collection of data on help-seeking and receipt of services is very weak** across the index: only 18% of countries collect data on help-seeking and under 17% on receipt of services. These are two fundamental areas that would allow the sound and regular evaluation of services and their adaptation to the needs of the children and survivors. The data is critical for informing policy and allocating resources.

<sup>88</sup> Composite score, weighted average of the following indicators: "Availability of follow-up medical care", "Mental Health Services", "Data on help-seeking", "Data on receipt of services".

In 2018, Côte d'Ivoire and Indonesia collected data both on help-seeking and on receipt of services for childhood sexual violence as part of national surveys carried out by the Ministry of Women, Family and Children<sup>89</sup> and the Ministry of Women Empowerment and Child Protection,<sup>90</sup> respectively. Most of the data collection was carried out with the support of external governmental partners, such as the Centres for Disease Control and Prevention (CDC), which has collected data in El Salvador, Colombia, Kenya, Mozambique and Uganda through their Violence Against Children Surveys as part of the Together for Girls (TfG) partnership.<sup>91</sup>

## Ensuring support services are child-centred

Children who have been sexually exploited or abused will interact with a variety of agencies, each with their own mandate. To alleviate the stress for them, the use of multidisciplinary teams — which bring professionals representing various disciplines (e.g. medical professionals, law enforcement, social workers) — can provide a single point of communication for the child. This reduces the chance of revictimisation, and avoids a child having to relive painful experiences by recounting them more than once. It also reduces the potential for confusion and duplication of work by agencies and enhances communication and collaboration between them.<sup>92</sup>

On this indicator, the index found that, **just under half of countries assessed (47%) encourage the use of multidisciplinary teams in the response to CSEA cases** (e.g. through the Child Advocacy or Bauhaus centre-models). However, **the establishment of such teams is rarely required by law: just over 20% of countries in the OOSI have such mandates**. To score this indicator, laws and regulations, national plans and recommendations produced by government departments were considered, as well as crisis centres and hospitals throughout each country that encouraged a multidisciplinary approach in the treatment of victims of sexual violence, especially child victims.

<sup>89</sup> Côte d'Ivoire, Ministère de la Femme, de la Famille et de l'enfant, Violence faite aux enfants et aux jeunes en Côte D'Ivoire résultats de l'enquête nationale, 2018, <https://www.togetherforgirls.org/cote-divoire/>

<sup>90</sup> Ministry of Women Empowerment and Child Protection, SNPHAR 2021 Release, <https://www.kemenpppa.go.id/index.php/page/read/29/3610/angka-kekerasan-terhadap-anak-sepanjang-2021-menurun>

<sup>91</sup> For more information: <https://www.togetherforgirls.org/violence-children-surveys/>

<sup>92</sup> Herbert J & Bromfield L (2017) 'Better Together? A Review of Evidence for Multi-Disciplinary Teams Responding to Physical and Sexual Child Abuse', Trauma, Violence & Abuse <https://ncjtc-static.fvtc.edu/Resources/RS00004131.pdf>

# 5

## Justice Process

**KEY LEARNING** | The justice process must be adapted to the needs of the child, with specially trained staff and child-friendly spaces

For children, the justice process can be intimidating and difficult to understand. While specialised judicial services are increasingly available, a justice system that is more responsive to children is an important part of any child protection strategy. Beyond the potential punishment of the offender and deterrent effect on the community, dealing with the criminal justice process can have direct consequences on the victim-survivor. Across the world, change is needed at all stages of the criminal justice chain to increase reporting, address high attrition rates and streamline processes to avoid the risk of re-traumatising the victim.<sup>93</sup>

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<sup>93</sup> Cossins A (2006) 'Prosecuting Child Sexual Assault Cases: To specialise or not, that is the question', *Current Issues in Criminal Justice*, <http://www.austlii.edu.au/au/journals/CICrimJust/2006/30.pdf>

**Figure 21: Assessing the justice process**

This figure shows a selection of the questions used to assess countries on whether their justice system is responsive and accessible to children. It also shows how top scoring countries in this category perform across these questions. For additional information on the questions included in this category and to learn more about top scoring countries' services, please download the [Out of the Shadows Index](#).

	United Kingdom	South Africa	France	Australia	South Korea
Does the country have a designated law enforcement agency/unit(s) to respond to and counter child sexual exploitation and abuse?					
Does the country have a designated law enforcement agency/unit to respond to and counter online crimes that focuses on child sexual exploitation online (i.e. a specialised unit)?					
Has the government or an organisation accepted by the government adapted tools and standards used by CSEA investigators to be child- and adolescent-friendly? Do these tools and standards include procedures for interviewing or taking a statement from children?	a	a	a	a	a
Are prosecutors, judges, other related personnel required to receive child-friendly training, trauma-informed training and training on sexual abuse cases?	b	b	c		b
Does the country have rules in place to ensure that there are child-friendly processes in court?					
Are children that are suspected or accused of sexual exploitation or abuse entitled to free or subsidised legal aid?					
Has the country conducted an assessment or evaluation of its justice system response to child sexual exploitation and abuse in the past five years?					
Does the government publish data on the number of CSEA-related arrests?					
Does the government publish data on charges or indictments for CSEA-related offences?					


 = YES
  = NO

- a Including interview procedures
- b All three are required
- c One is required

## Establishing specialist approaches in the judicial system

Research has highlighted the many positive outcomes of specialist prosecution units and courts, with staff that is trained to deal with child-specific vulnerabilities. Having specialised courts provides multiple benefits. It speeds up the process, as children's cases are no longer part of a crowded adult system, and decisions are made with greater uniformity and are driven by the child's best interest.<sup>94</sup>

Some countries have created **specialised courts** (see [Figure 17](#)). These include Malaysia, whose Special Criminal Courts on Sexual Crimes against Children aims to provide a safe and sensitive environment for children to testify against perpetrators of sexual violence.<sup>95</sup>

**A significant number of countries (80%) have also established child-friendly court processes** (see [Figure 22](#)), but these **vary in specificity and alignment with internationally recognised best practices.**

While some countries only set down basic rules like allowing children to testify remotely, others require more comprehensive

support. For example, in Guatemala, judges must ensure that children only give evidence once. Their statement is then to be used in the following stages of the process, without limiting their right to participate and be heard. Questions addressed to children must always be made through a facilitator and moderated by a judge, to avoid re-victimising questions. All statements must be carried out in a way that avoids putting the child through unnecessary trauma. This can be via the use of Gesell cameras, closed circuit television, video-conference or any other tools that serve this purpose.<sup>96</sup> Similarly, Albania establishes the right of a child to be accompanied by a person they trust. The child can also have a psychologist lead the process and attend the entire interviewing process, which must be carried out through closed circuit television.<sup>97</sup>

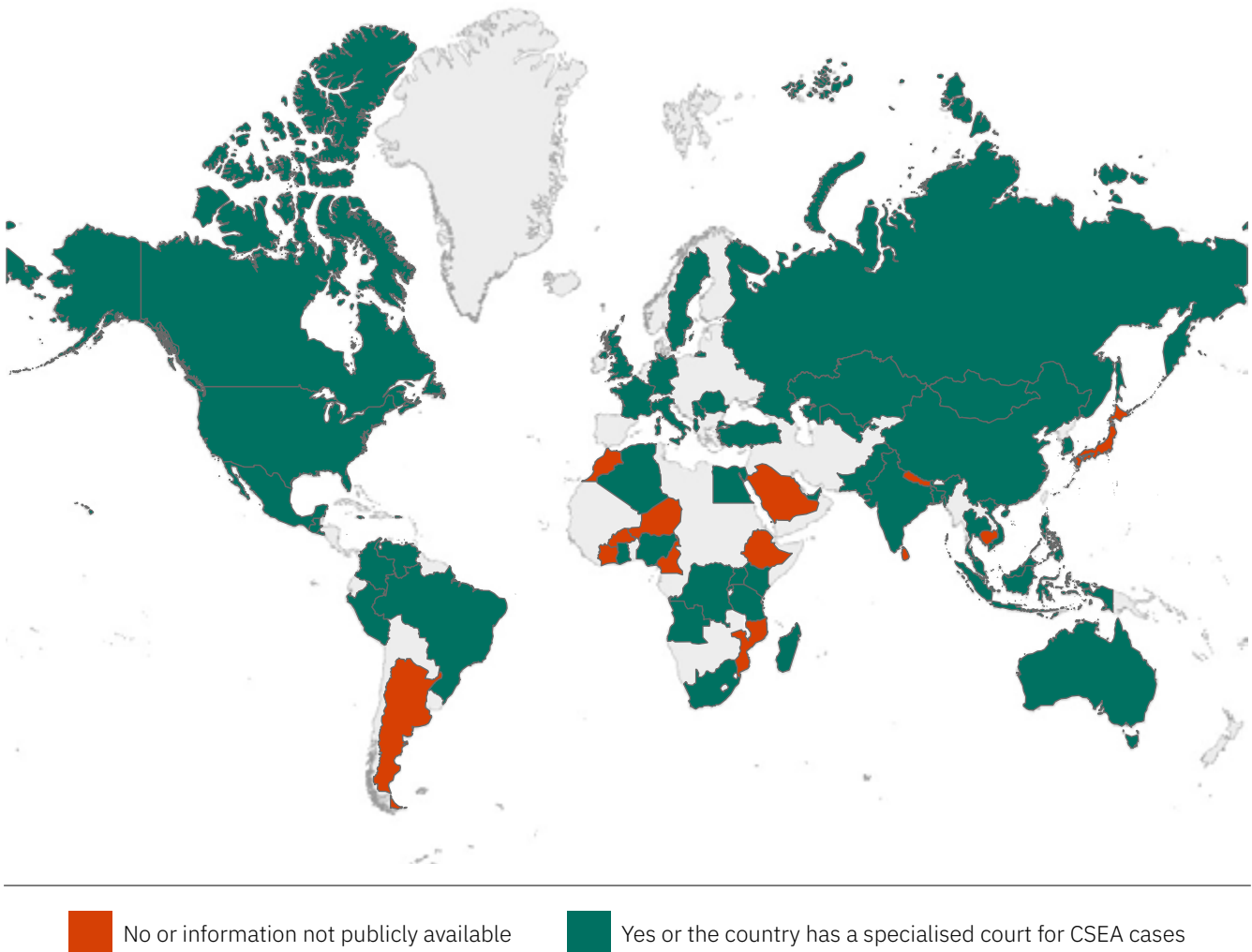
<sup>94</sup> Parkinson P, Report for the Royal Commission into Institutional Responses to Child Sexual Abuse, 2016, <https://www.childabuseroyalcommission.gov.au/sites/default/files/file-list/Research%20Report%20-%20Assessing%20the%20different%20dimensions%20and%20degrees%20of%20risk%20of%20child%20sexual%20abuse%20in%20institutions%20-%20Causes.pdf>

<sup>95</sup> <https://www.kehakiman.gov.my/en/sexual-crime-court-against-children>

<sup>96</sup> Protocolo para recibir Declaraciones de Niñas, Niños y Adolescentes Víctimas y/o Testigos (Guatemala), [http://ww2.oj.gob.gt/es/QueEsOJ/EstructuraOJ/UnidadesAdministrativas/CentroAnálisisDocumentaciónJudicial/cds/CDs%20compilaciones/Compilacion%20NNA/expedientes/05\\_36.pdf](http://ww2.oj.gob.gt/es/QueEsOJ/EstructuraOJ/UnidadesAdministrativas/CentroAnálisisDocumentaciónJudicial/cds/CDs%20compilaciones/Compilacion%20NNA/expedientes/05_36.pdf)

<sup>97</sup> Law Nr.7905, date 21.3.1995, Criminal Procedure Code (Albania), [https://www.legislationline.org/download/id/8236/file/Albania\\_CPC\\_1995\\_am2017\\_en.pdf](https://www.legislationline.org/download/id/8236/file/Albania_CPC_1995_am2017_en.pdf); Law Nr. 37/2017 Code of Criminal Justice for Minors (Albania), <https://qbz.gov.al/preview/f83e2041-7f9d-4b5e-aa53-c967bf87810c>

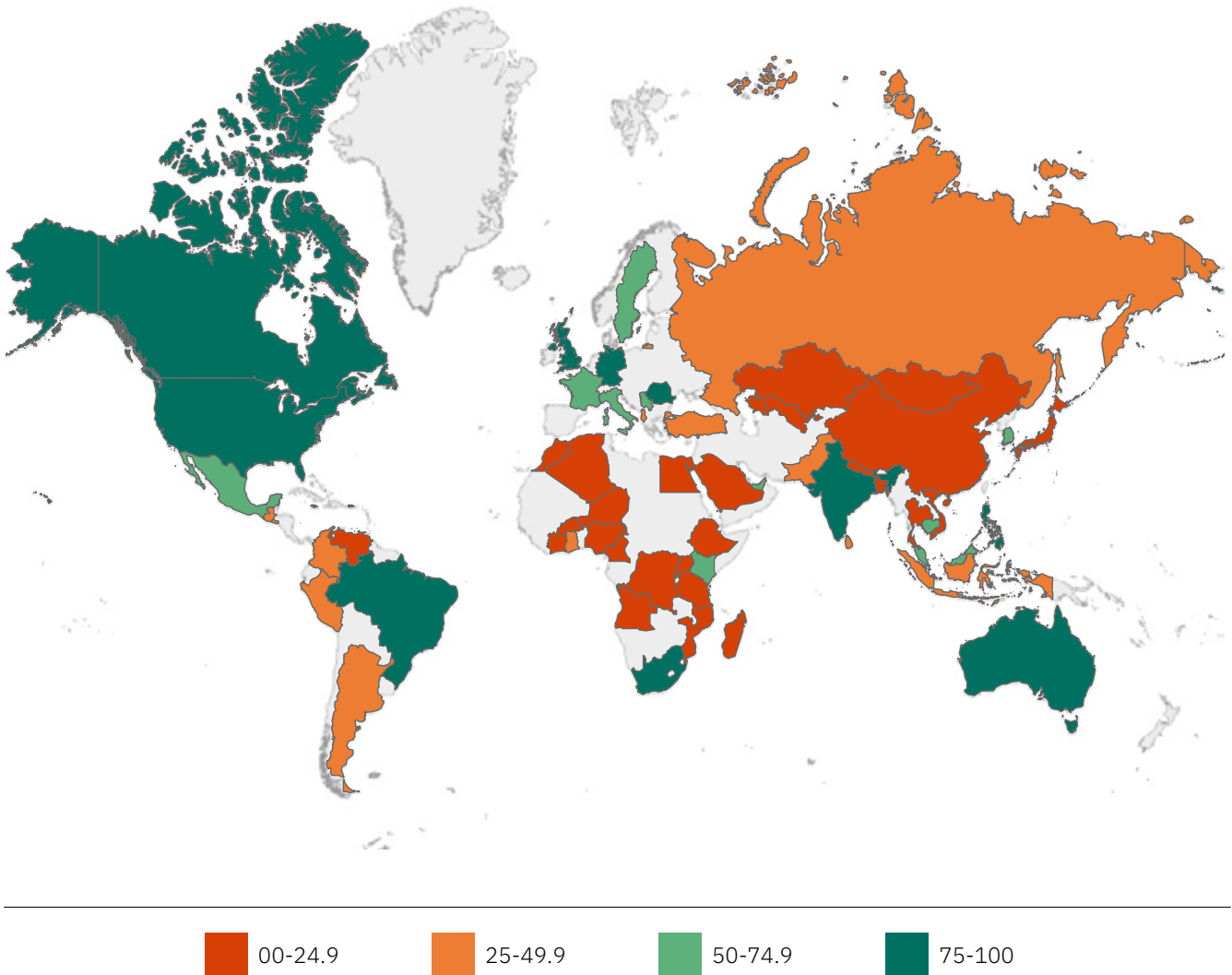


**Figure 22: Child-friendly court processes**

To ensure justice systems across the globe provide child-friendly court processes and remain responsive to the child, **a holistic, child-centred response system needs to be developed, that includes all actors involved in the justice process, from the child to interviewing officials.**

In 82% of the countries assessed, children are entitled to free legal aid services. However, over one-quarter have not developed child- and adolescent- friendly tools and standards for investigators nor drafted guidelines that ensure interviewing processes are adapted to the child. Notably, there is a severe gap in the training of judicial personnel (see [Figure 23](#)). **Only 13 of the 60 countries assessed (22%) require judges and prosecutors to have training on child-friendly court processes, trauma-informed practice and sexual abuse.**

**Figure 23:** Guidelines and training on child-friendly court processes, trauma-informed practice and sexual abuse for prosecutors, judges and other key judicial staff

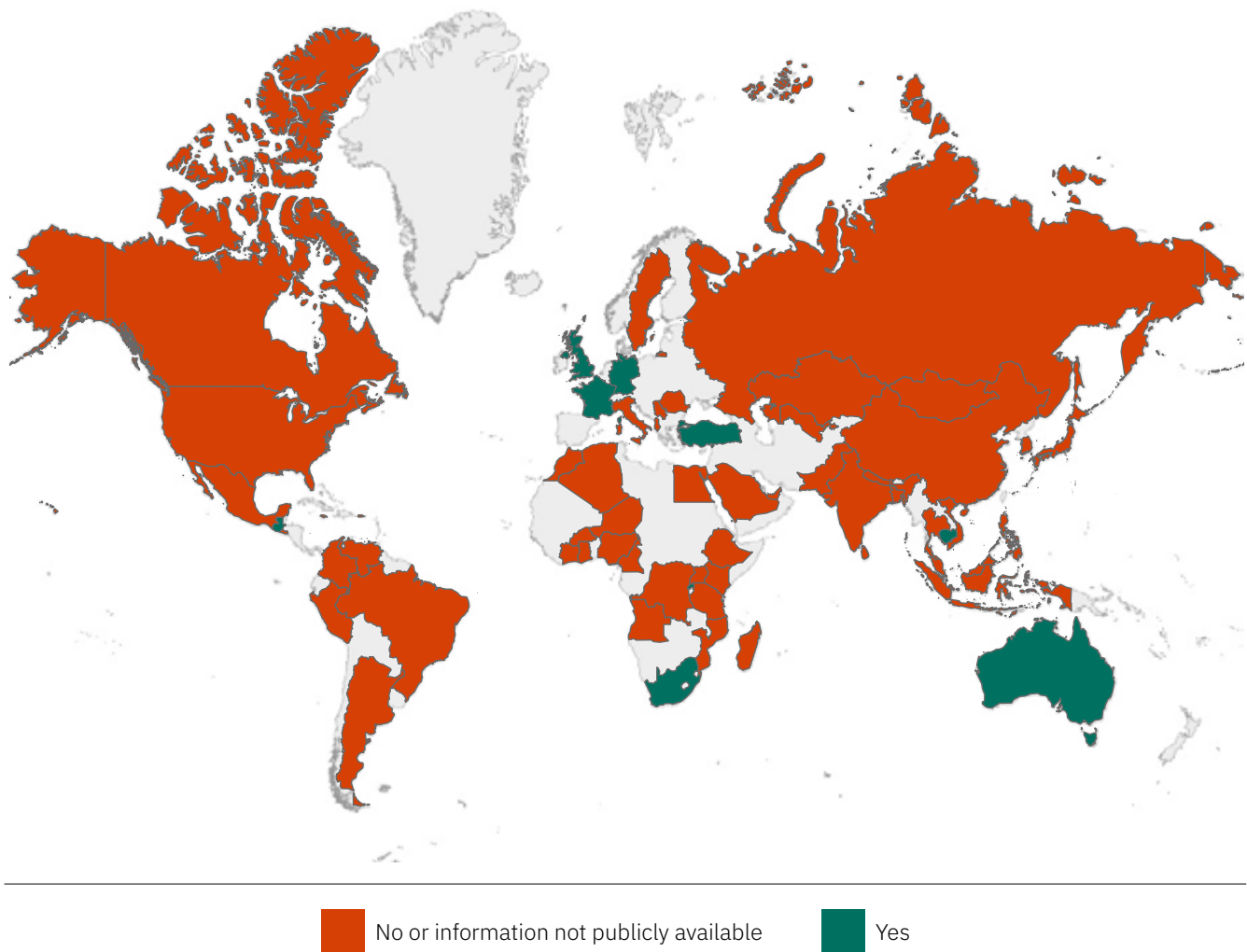


Scored 0-100 where 0 = the worst environment for children and 100 = the best environment for children

## Expanding monitoring & evaluation processes

A robust monitoring and evaluating system reinforces efforts to adapt and centre the justice process to a child’s needs (see [Figure 24](#)). **The vast majority of countries (85%) do not evaluate the justice system’s response to CSEA cases.** Only nine assessed countries, predominantly high-income countries, have undertaken evaluations with victim-survivors, law enforcement and/or service providers on the justice system’s response to CSEA.

**Figure 24:** Evaluation of the justice process



In parallel, **there is a paucity of data on how CSEA cases progress through the criminal justice system.** Only 10 countries make data on CSEA-related arrests publicly available, while 12 do the same for indictments and 13 for convictions. This inconsistency in numbers contributes to the opacity of the system. In many cases the agencies responsible for reporting arrests are separate from those reporting indictments and convictions, and their processes for reporting are often misaligned. For example, in the US, the Federal Bureau of Investigation's Crime Data Explorer<sup>98</sup> tracks arrests of those who have committed rape or aggravated assault against a minor. In contrast, data on indictment and convictions is tracked at the state level and is not publicly available for all states.<sup>99</sup> This misalignment and lack of clarity make it difficult to improve the judicial process and streamline it for benefit the child.

Monitoring and evaluation mechanisms are crucial for making justice systems more accessible and efficient, and less corrupt. They are essential to substantially improve countries' response systems. Yet, **fewer than one-fifth of the assessed countries (18%) score in the top two quintiles on the fairness and effectiveness of their regulatory enforcement.** The same proportion of countries (18%) score in the top two quintiles on the quality of their criminal justice system,<sup>100</sup> showing a clear need for stronger monitoring mechanisms worldwide.

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<sup>98</sup> Federal Bureau of Investigation, Crime Data Explorer, <https://crime-data-explorer.fr.cloud.gov/>

<sup>99</sup> For example: Connecticut Office of Legislative Research. "Connecticut Sex Crimes Statistics (Convictions 2015-2019)", <https://www.cga.ct.gov/2020/rpt/pdf/2020-R-0023.pdf>

<sup>100</sup> To assess this Economist Impact used the composite score by the World Justice Project, which evaluates a country's criminal justice system by considering its accessibility and affordability, whether it is free of discrimination, corruption and improper influence by public officials, whether court proceedings are conducting without unreasonable delays and whether decisions are enforced effectively. For more information: <https://worldjusticeproject.org/our-work/research-and-data/wjp-rule-law-index-2021>

### CALL OUT BOX: Beyond borders – CSEA online

In a recent Economist Impact-led survey, more than half (54%) of respondents in 54 countries around the world had experienced at least one online sexual harm during childhood.<sup>101</sup> And yet, across the globe, legislation specific to CSEA online continues to lag behind.

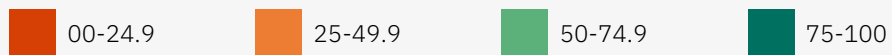
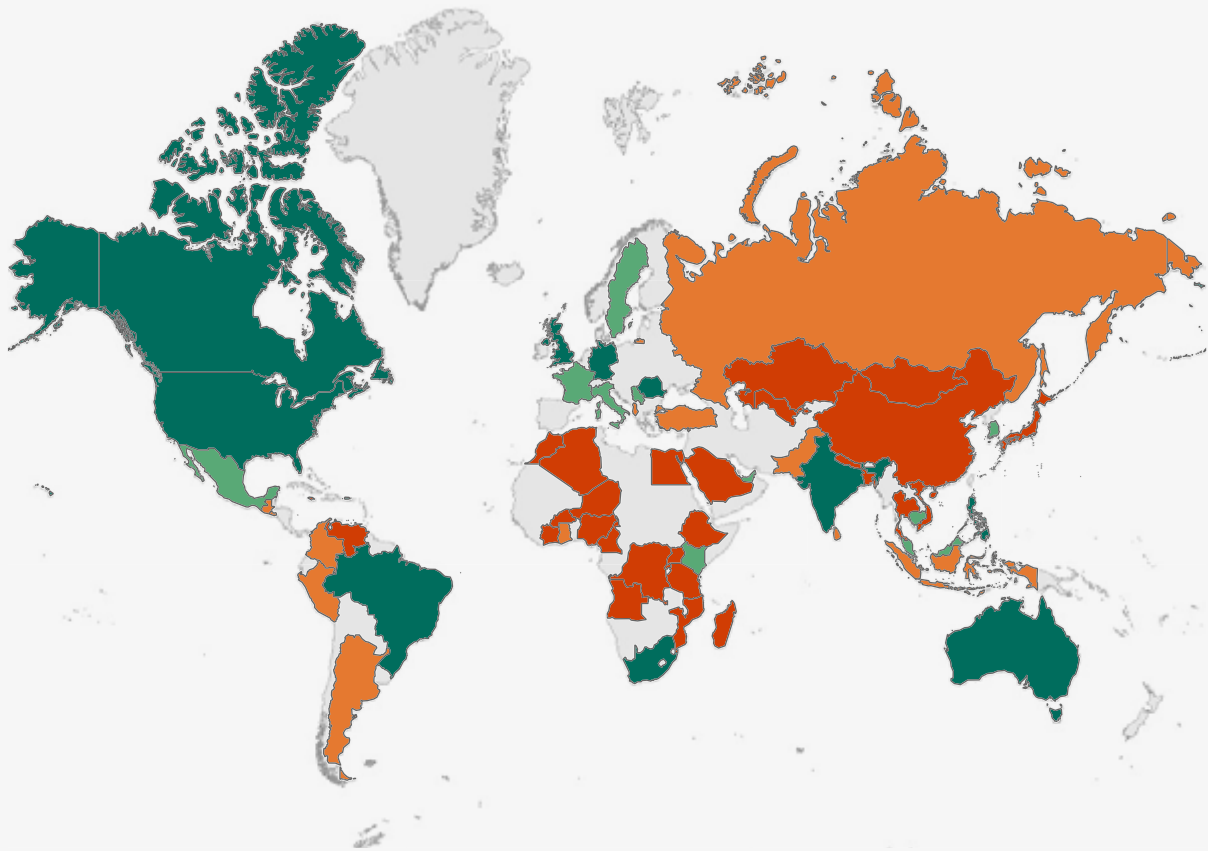
While **two-thirds of assessed countries have developed legislation that prohibits showing or sending sexually explicit material to a child online (67%), just over one-third of countries have legislation targeted at online grooming (35%).** The number is even lower when considering legislation that prohibits online grooming regardless of intent to meet the child: **just one-quarter of countries have laws against such crimes.**

Countries are largely unprepared to respond to this issue: nearly half of the countries (45%) do not have a designated specialised law enforcement unit to respond to and counter online CSEA crimes. When they do, over one-quarter of specialised units are not supported by the services of a forensic unit. **Fewer than one-third (30%) of countries incorporate online CSEA in their national strategies.**

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**101** Four harms were considered: (1) being sent sexually explicit content from an adult they knew or someone they did not know before they were 18; (2) having sexually explicit images of them shared without consent (by a peer, an adult they knew, or someone they did not know before); (3) being asked to keep part of their sexually explicit online relationship with an adult they knew or someone they did not know before a secret; (4) being asked to do something sexually explicit online they were uncomfortable with (by a peer, an adult they knew, or someone they did not know before), <https://www.weprotect.org/economist-impact-global-survey/#report>

**Figure 25: Preparedness to respond to and prevent online CSEA<sup>102</sup>**



Scored 0-100 where 0 = the worst environment for children and 100 = the best environment for children

**102** Composite score: “is there legislation specific to online grooming?”, “is there legislation against online grooming with the intent to meet the child?”, “is there legislation against online grooming regardless of the intent to meet the child for cases committed exclusively online?”, “is there legislation against showing or sending pornography to a child online?”, “does the national action plan against CSEA include CSEA online or does the country have a separate plan that addresses CSEA online?”, “does the country have a designated law enforcement agency/unit to respond to and counter CSEA online?”

# Conclusion

CSEA is a global epidemic with widespread consequences not only for individuals, but for countries and the world. These consequences hinder progress towards the SDGs, especially goals 3 (Good Health & Wellbeing), 4 (Quality Education), 5 (Gender Equality) and 16 (Peace, Justice and Strong Institutions).

One instance of CSEA is one instance too many. And whether a country has one case, or 10,000 cases, dealing with every case requires preparedness. Eliminating CSEA necessitates a global commitment to create a governance architecture that can withstand the volume of harm and abuse against children and the new ways in which they are committed in real life and online. The 2022 edition of the Out of the Shadows Index demonstrates that a holistic prevention and response system will require legislative reforms and more comprehensive, child-centred response systems. Without a solid global framework, countries cannot be prepared.

As we head towards 2030, there is still a significant opportunity to redouble our efforts to achieve the SDGs. However, without urgent action on CSEA from national governments, we run the risk of failing to meet these goals and leaving millions of children and young people vulnerable to the effects of CSEA.



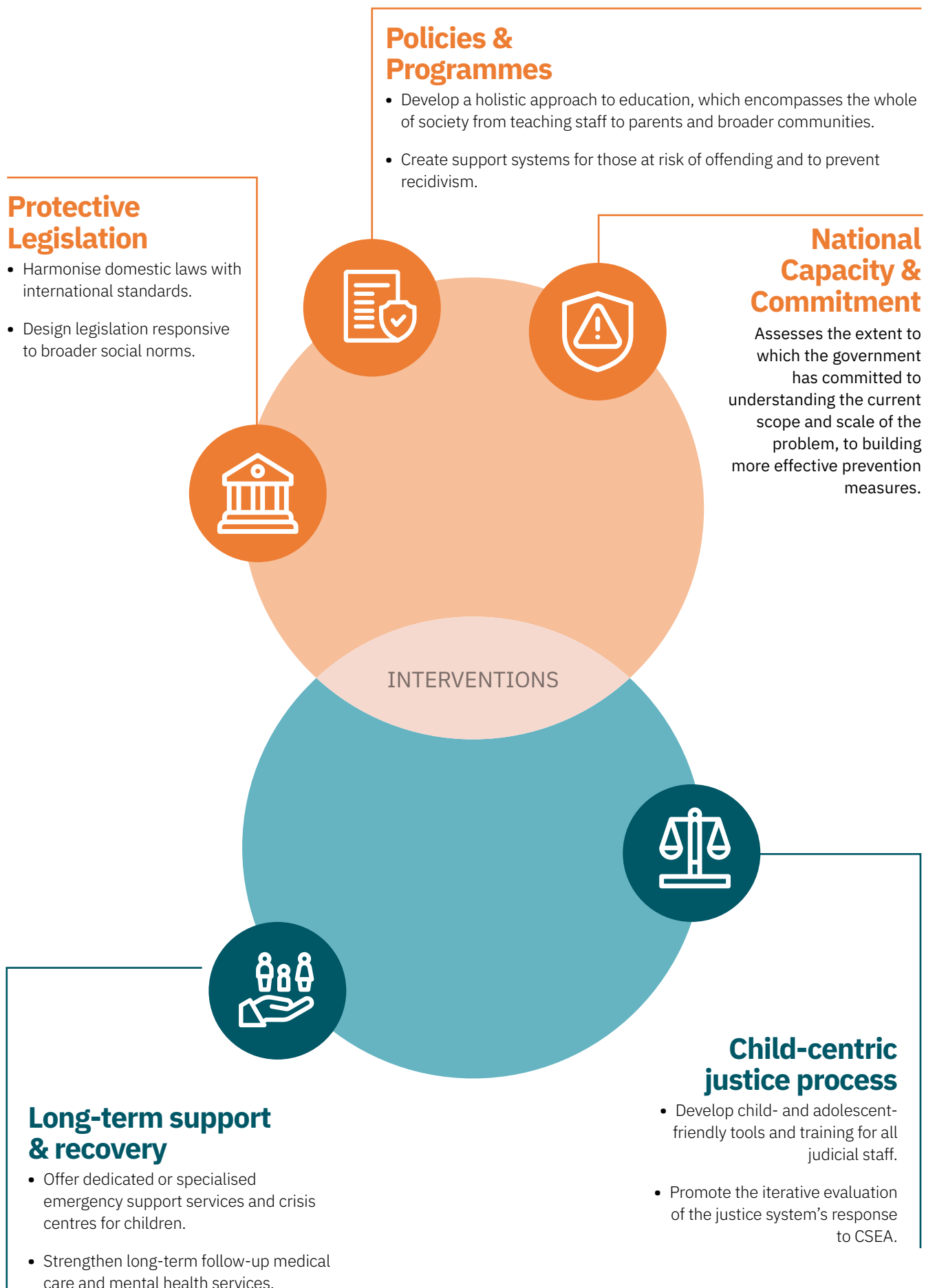
Our hands are not tied: **CSEA can be solved**. To do so, more needs to be done to create a holistic prevention and response system across the globe that supports existing efforts to eliminate sexual violence against children and adolescents. Governments need to join civil society organisations, which have often been at the forefront of driving change, to fill gaps as they continue to focus on combating CSEA. Based on this edition of the OOSI, governments in particular must focus on:

- Developing protective legislation centred on the child's best interests, that takes into consideration local contexts while aligning with international standards;
- Instituting policies and programmes that tackle the economic, social and environmental conditions that contribute to CSEA;
- Strengthening state capacity to better understand and address CSEA;
- Building age-appropriate long-term support systems for children affected by CSEA; and
- Ensuring the justice process is adapted to the needs of the child, with specially trained staff and safe spaces.

Additionally, the learnings from these main findings allow us to further distil action-orientated interventions, which will enable and enhance effective holistic governance systems to combating CSEA. A deep-dive into [country-level data](#) allows civil society and policy makers to decide which **interventions** require more emphasis and investment in the contexts where they are.

The takeaway is clear: without strong prevention and response systems in place, countries are unprepared to protect children and adolescents. Having child-centred systems, which work to change the structural factors that allow for CSEA to occur, is the only way to effectively combat this widespread issue. These systems must be monitored, appraised and adapted regularly, regardless of the level of prevalence.

The OOSI provides a strong accountability tool that helps countries assess their preparedness and effectiveness in dealing with CSEA and supports the identification of the key of intervention to eliminate sexual violence against children and strengthen CSEA governance.

**Figure 26:** Key interventions for a holistic approach to combating CSEA



# Appendix: Rankings

## Overall Rankings

1	United Kingdom	= 21	El Salvador	41	Egypt
2	France	= 21	Kenya	42	Ghana
3	Sweden	= 21	Thailand	43	Bangladesh
4	Canada	= 24	Philippines	44	Angola
5	South Africa	= 24	Vietnam	45	Nepal
6	South Korea	26	Serbia	46	Peru
7	Australia	27	Rwanda	47	Venezuela
8	Indonesia	28	Malaysia	48	Sri Lanka
9	Turkey	29	Kazakhstan	49	Burkina Faso
10	Germany	30	China	= 50	Argentina
11	Brazil	31	Italy	= 50	Pakistan
12	Mexico	32	Mongolia	52	Saudi Arabia
13	United States	33	Tanzania	53	Ethiopia
14	Albania	34	Nigeria	54	Côte d'Ivoire
15	India	35	Russia	55	Madagascar
16	Japan	36	Morocco	56	Algeria
17	Guatemala	37	Uganda	57	Dem. Rep. Congo
18	Romania	38	Cambodia	58	Uzbekistan
19	Colombia	39	United Arab Emirates	59	Niger
20	Jamaica	40	Mozambique	60	Cameroon

## Prevention Rankings

1	Canada	21	Thailand	41	Sri Lanka
2	France	= 22	Cambodia	42	Russia
3	United Kingdom	= 22	Kenya	43	Nepal
4	South Korea	24	Indonesia	44	Morocco
5	Sweden	25	Brazil	45	Italy
6	South Africa	26	Malaysia	46	Côte d'Ivoire
7	Australia	27	Japan	47	Venezuela
8	United States	28	Jamaica	48	United Arab Emirates
9	Germany	29	Peru	49	Uzbekistan
10	Albania	30	Uganda	50	Madagascar
11	Turkey	31	Kazakhstan	51	Bangladesh
12	Mexico	32	El Salvador	52	Pakistan
13	Rwanda	33	Philippines	53	Angola
14	Colombia	34	Egypt	54	Ethiopia
15	Serbia	35	Ghana	55	Algeria
16	China	36	Guatemala	56	Argentina
17	Vietnam	37	Nigeria	57	Dem. Rep. Congo
18	Mongolia	38	Mozambique	58	Saudi Arabia
19	Romania	39	Burkina Faso	59	Cameroon
20	India	40	Tanzania	60	Niger

## Response Rankings

1	Indonesia	21	Kenya	41	Mozambique
2	Sweden	22	Thailand	42	Ghana
3	United Kingdom	23	Kazakhstan	43	Egypt
4	South Africa	24	Colombia	44	Cambodia
5	Brazil	25	Malaysia	=45	Argentina
6	Turkey	26	Albania	=45	Saudi Arabia
7	France	27	Vietnam	47	Nepal
8	Guatemala	28	United States	48	Venezuela
9	Australia	29	Serbia	49	Pakistan
10	South Korea	30	Tanzania	50	Sri Lanka
11	Mexico	31	Bangladesh	51	Peru
=12	Canada	32	Russia	52	Burkina Faso
=12	Japan	33	Rwanda	53	Ethiopia
14	India	34	Nigeria	54	Madagascar
15	Germany	35	Morocco	55	Côte d'Ivoire
16	El Salvador	36	China	56	Algeria
17	Philippines	37	United Arab Emirates	57	Niger
18	Italy	38	Angola	58	Dem. Rep. Congo
19	Romania	39	Mongolia	59	Uzbekistan
20	Jamaica	40	Uganda	60	Cameroon

## How we did it – scoring the Out of the Shadows Index

Over 100 individual questions were researched in the index framework and assigned a score for each question to all of the 60 countries included in the study. Each country's score for each question was then normalised into a score of 0-100, where 100=best. Questions were then aggregated – based on the weighting profile – to get an overall score and individual category scores for each country. To learn more about how scores are normalised, aggregated and weighted, please consult the methodology paper.<sup>103</sup>

## How we did it – assessing federalist countries

To score countries that regulate some or all CSEA-related issues at a sub-national level in the first iteration of the Out of the Shadows Index, countries were scored based on the laws, policies and programmes available in the country's largest metropolitan statistical area (MSA). Feedback received between the first and second iterations of the index included concerns that using the country's largest MSA as a proxy (i.e., using New York City, Sydney and Sao Paulo to proxy the United States', Australia' and Brazil's laws, policies and programmes respectively) over-estimated the availability and comprehensiveness of prevention of and response to CSEA within federalist countries.

To address this concern in the second iteration of the study, when laws, policies and programmes did not exist at the national level, the sub-national jurisdiction with the highest GDP and the lowest GDP in each federalist country was identified (e.g., the provinces of Ontario and the Yukon in Canada) and both of these jurisdictions were scored. If a law, policy or programme was available in both jurisdictions, the country received credit on the question. If only one jurisdiction or neither jurisdiction had a law, policy or programme available, the country did not receive credit on the question.

Assigning partial credit on a question to countries where one of the two jurisdictions had a law, policy or programme available was considered. Discussions with experts led to the conclusion that the index's aspiration is to ensure that every child in every country is protected against CSEA and that, in many cases, CSEA is not confined by sub-national borders, which can add to the complication of responding to CSEA cases. As such, it was determined that both jurisdictions must have a law, policy or programme to receive credit.

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**103** For more information on the methodology, please visit the [Out of the Shadows Index Methodology Paper](#).



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