

COUNCIL OF EUROPE TRAINING MODULE FOR LAW ENFORCEMENT, JUDGES AND PROSECUTORS ON ONLINE CHILD SEXUAL EXPLOITATION AND ABUSE (OCSEA)



OBJECTIVE

To Introduce members of the **law enforcement and the judiciary to efficient investigation techniques in conjunction with child-friendly principles and procedures according to Council of Europe standards**. Particular focus is given to the legally binding **Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (Lanzarote Convention)** and its substantive criminal law provisions and the criminal procedures established by the **Convention on Cybercrime (Budapest Convention)**, which provides for the criminalisation of conducts related to OCSEA.

PURPOSE

This training module can be delivered by Council of Europe experts upon demand at national level in cooperation with national training institutes for the police and the judiciary. This introductory module may be implemented in conjunction with other on-going in-depth training on child-friendly justice and e-evidence in general; the length and detail of the module can be adapted to reflect this.

In light of the commitments of the Parties to the Lanzarote and Budapest Conventions to continue to improve their level of implementation, the Council of Europe can further support countries with the institutionalisation of the module at national level. The different sections of the module can be used to develop and/or improve national curricula in this area whether for initial or continuous training.

This initiative stands as an incentive and first step for future and further developments of training materials for professionals from all sectors who are involved in OCSEA.

AVAILABLE TOPICS WHICH WILL BE PRESENTED AND CONTEXTUALISED TO THE NATIONAL ENVIRONMENT:

THE FIRST CHAPTER concerns the 'substantive and procedural criminal law' and addresses, for example:

- the range of criminal acts that can constitute OCSEA based upon the provisions of the Lanzarote Convention, to identify substantive offences in national legislation which are applicable to those acts;
- the application of aggravating circumstances, based on Article 28 of the Convention to be placed before the court in sentencing perpetrators of OCSEA offences;
- the procedural provisions available in the Budapest Convention which support investigation and prosecution of OCSEA offences; and
- the application of the procedural provisions in mutual legal assistance (MLA) and how to ensure efficient, effective MLA in relation to those provisions.

THE SECOND CHAPTER addresses the prosecution and proactive investigation in light of Article 30 and 31 of the Lanzarote Convention and addresses notably:

- the methods of conducting a proactive investigation;
- proactive investigations to be carried out in the best interests of the child; and
- the presentation of information, intelligence and evidence gathered from any such investigation to assist further action or prosecution.

THE THIRD CHAPTER on reactive investigation tackles:

- where reports of OCSEA can occur;
- various methods of conducting a reactive investigation;
- how to conduct investigations legally and lawfully;
- importance of upholding the best interests of the child & being protective towards the victim; and
- capture of best evidence and how to deliver evidence in court.

THE FOURTH AND FINAL CHAPTER will present international standards that aim to protect children who are victims or witnesses of online sexual abuse and exploitation throughout criminal proceedings.