

DISRUPTING HARM IN SOUTH AFRICA

Evidence on online child
sexual exploitation and abuse



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Warning:

Disrupting Harm addresses the complex and sensitive topic of online child sexual exploitation and abuse. At times in the report, some distressing details are recounted, including using the direct words of survivors themselves. Some readers, especially those with lived experiences of sexual violence, may find parts of the report difficult to read. You are encouraged to monitor your responses and engage with the report in ways that are comfortable. Please seek psychological support for acute distress.

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NOTE BY THE END VIOLENCE PARTNERSHIP

Our online lives are advancing constantly. The internet and rapidly evolving digital communication tools are bringing people everywhere closer together. Children are increasingly conversant with and dependent on these technologies, and the COVID-19 pandemic has accelerated the shift online of many aspects of children's lives.

The internet can be a powerful tool for children to connect, explore, learn, and engage in creative and empowering ways. The importance of the digital environment to children's lives and rights has been emphasised by the United Nations' Committee on the Rights of the Child in [General Comment No. 25, adopted in 2021](#). The General Comment also stresses the fact that spending time online inevitably brings unacceptable risks and threats of harm, some of which children also encounter in other settings and some of which are unique to the online context.

One of the risks is the misuse of the internet and digital technologies for the purpose of child sexual exploitation and abuse. Online grooming, sharing of child sexual abuse material, and live-streaming of child abuse are crimes against children that need an urgent, multi-sectoral, and global response. These crimes are usually recorded in the form of digital images or videos, which are very often distributed and perpetually reshared online, victimising children over and over again. As risks of harm continue to evolve and grow exponentially, prevention and protection have become more difficult for governments, public officials, and providers of public services to children, but also for parents and caregivers trying to keep-up with their children's use of technology.

With progress being made towards universal internet connectivity, it is ever more pressing to invest in children's safety and protection online. Governments around the world are increasingly acknowledging the threat of online child sexual exploitation and abuse, and some countries have taken steps to introduce the necessary legislation and put preventive measures in place. At the same time, the pressure is mounting on the technology industry to put the safety of children at the heart of design and development processes, rather than treating it as an afterthought. Such safety by design must be informed by evidence on the occurrence of OCSEA; *Disrupting Harm* makes a significant contribution to that evidence.

The Global Partnership to End Violence against Children, through its Safe Online initiative, invested seven million US\$ in the *Disrupting Harm* project. *Disrupting Harm* uses a holistic and innovative methodology and approach to conduct a comprehensive assessment of the context, threats and children's perspectives on online child sexual exploitation and abuse. This unprecedented project draws on the research expertise of ECPAT, INTERPOL, UNICEF Office of Research – Innocenti, and their networks. The three global partners were supported by ECPAT member organisations, the INTERPOL National Central Bureaus and the UNICEF Country and Regional Offices. It is intended that the now developed and tested methodology be applied to additional countries around the world.

Disrupting Harm represents the most comprehensive and large-scale research project ever undertaken on online child sexual exploitation and abuse at a national level and has resulted in 13 country reports and a series of unique 'Data Insights'. It provides the comprehensive evidence of the risks children face online, how they develop, how they interlink with other forms of violence and what can be done to prevent and reduce them.

The findings will serve governments, industry, policy makers, and communities to take the right measures to ensure the internet is safe for children. This includes informing national prevention and response strategies, expanding the reach of *Disrupting Harm* to other countries and regions, and building new data and knowledge partnerships around it.

Disrupting harm to children is everyone's responsibility.



Dr Howard Taylor
Executive Director
End Violence Partnership

EXECUTIVE SUMMARY

Funded by the Global Partnership to End Violence against Children, through its Safe Online initiative, ECPAT, INTERPOL, and UNICEF Office of Research - Innocenti worked in partnership to design and implement *Disrupting Harm* - a research project focused on online child sexual exploitation and abuse (OCSEA). This unique partnership utilises a multi-disciplinary approach to explore all sides of this complex issue. OCSEA refers to situations that involve digital or communication technologies at some point during the continuum of abuse or exploitation; it can occur fully online or through a mix of online and in-person interactions between offenders and children. The *Disrupting Harm* research was conducted in seven Eastern and Southern African, including South Africa, and six Southeast Asian countries. Data was synthesised from nine different research activities to generate each national report. These tell the story of the threat and present clear recommendations for action.

Internet use, access, and online activities

Among the 1,639 internet-using children aged 9-17 who participated in the *Disrupting Harm* household survey in South Africa, 58% went online at least once a day. A higher percentage of older children (16-17) reported using the internet on a daily basis as compared to younger children (9-11). The frequency of internet use among children did not differ based on the child's gender or whether they lived in urban or rural areas.

Overwhelmingly, children accessed the internet using smartphones (97%), followed by computers (39%). A majority (60%) of children faced barriers in accessing the internet. These were mainly related to the high costs of internet access and poor connections. Home was by far the most common location for internet use among 9-17-year-olds (96%), followed by schools (53%), malls (50%), and internet cafés (40%).

The most popular online activities that internet-using children engaged in once a week or more included social media, schoolwork, and searching for new information. A large proportion of children also used instant messaging and watched videos clips at least once a week.

In the household survey of 1,393 caregivers, most respondents indicated that they went online often, with 65% of the caregivers using the internet on a daily basis. However, a substantial proportion of caregivers (20%) 'hardly ever' or 'never' used the internet, which was quite different from the 1% of internet-using children who reported 'hardly ever' using the internet.

Children's digital skills varied. While 80% felt confident that they knew when to remove people from their contacts list, only 58% of children said they knew how to report negative content online. Sixty-four percent of children indicated that they knew how to change their privacy settings. For the most part, children and caregivers displayed similar levels of digital skills. While small age differences were observed in children's digital skills, older caregivers aged 50 or above were less confident than younger ones in their digital skills and were less able to identify potential risks online.

Risky online activities

Caregivers were highly concerned about the risks of children communicating with people they do not know online, with 79% of caregivers rating this as being very risky for children. Most of the surveyed children (53%) similarly judged talking to someone on the internet who they have not met face-to-face as being very risky for children their age; however, 13% viewed this as not risky at all.

In relation to children's actual behaviours, the data shows that children do engage with people they do not know online. For example, 52% said that, during the past year, they added people who they had never met face-to-face to their friends lists, and 33% had met someone in person whom they had first met online. According to children who engaged in these behaviours, many of these encounters did not result in immediate harm and most children described being pleased about the experience of meeting someone face-to-face they had first got to know on the internet.

In addition, 8% of the children in the household survey said that they had shared naked pictures or videos of themselves online in the past year – most of those children said they did this for fun, because they were in love or flirting. More 16–17-year-olds engaged in risky online behaviours than the younger children in the sample.

Children’s experiences of online sexual exploitation and abuse

As part of the household survey, children were asked whether they had been subjected to any of the following clear examples of OCSEA in the year prior to the survey: 9% of children said that they had been offered money or gifts in return for sexual images or videos, 9% to meet in person to do something sexual, and 7% said that their sexual images had been shared without their permission. In addition, 7% of the internet-using children surveyed said they had been threatened or blackmailed to engage in sexual activities. This form of sexual extortion is *not* explicitly criminalised in South African legislation, representing a crucial gap in the national response to OCSEA. The household survey figures could be under-reported due to common discomfort around discussing sex or because children may not want to disclose their abuse.

When reflecting on the OCSEA cases that they had directly supported, all 49 frontline social support workers surveyed by *Disrupting Harm* stated that men were much more frequently identified as offenders than women. The survey of frontline workers identified that offenders were most commonly people that the children knew and trusted, such as a parent or step-parent, a family friend, or an adult from the community. However, the data from the household survey shows that children who had experienced the forms of OCSEA outlined above more often said that the offender was someone they did not know. Further research is needed to determine the reasons behind the discrepancies in the experiences of children and frontline social support workers in South Africa. It is important to note that an effective response to any form of violence against children must take into consideration the nature of offender–victim relationships, for example, it is much more difficult for children who have been subjected to OCSEA and other forms of abuse to seek help when they are emotionally and/or economically dependent on the offender.

Disclosure and reporting

According to the household survey with internet-using children, those who were subjected to OCSEA were reluctant to disclose their experiences to anyone. Half of the children did not tell anyone the last time they were subjected to various instances of OCSEA. If children did choose to disclose, a friend was by far the most common confidant. Only a minority of children (between 1%–2% across the various instances of OCSEA) turned to the police, social workers, or a helpline.

In the survey of frontline social support workers, respondents were asked to rank various factors that may be barriers to reporting OCSEA cases. Some of the most common reasons given were that caregivers are not sufficiently knowledgeable about the risks posed by OCSEA, that people do not know the mechanisms for reporting, and fear of stigmatisation from the community.

Law enforcement’s data on OCSEA, identification, and investigation of cases

The INTERPOL National Central Bureau Pretoria reported that 68,512 cases of sexual offences against children were recorded by law enforcement in South Africa between 2017 and 2019, and 325 of these cases had an online component. It is possible that OCSEA offences may be part of the concealed ‘lesser’ offences attached to “attempted murder”, “grievous bodily harm”, and “common assault” cases. During this three-year time period, law enforcement launched 169 investigations into OCSEA cases; 51 people suspected of OCSEA crimes were arrested in 2017, 60 in 2018, and 58 in 2019.

The number of reports of suspected OCSEA (known as CyberTips) in South Africa submitted by electronic service providers – such as social media platforms – to the U.S. National Center for Missing and Exploited Children (NCMEC) increased by 51% between 2017 and 2019. Almost all of the CyberTips for South Africa concerned the possession, manufacture, and distribution of child sexual abuse material (CSAM).

EXECUTIVE SUMMARY

Disrupting Harm evidence on OCSEA investigations shows that some positive practices exist in South Africa, such as training for police regarding submitting data requests to global social media platforms, following child-friendly investigation and courtroom procedures, and conducting proactive investigations. However, some challenges remain. For example, the Serial and Electronic Crimes Investigation units have no dedicated budget for investigations on cases of child sexual abuse and exploitation including online, there is limited availability of special equipment, staff turnover is high, and there is limited comprehensive and consistently delivered training concerning OCSEA investigations. Additionally, there is a need for South African law enforcement to directly receive and handle NCMEC CyberTips themselves, rather than doing so through the U.S. Homeland Security Investigations liaison officer. This would allow national law enforcement to have greater visibility of the trends and threats indicated in the CyberTips, and greater control over the procedures related to the CyberTips in general.

Access to justice

Despite extensive efforts, the *Disrupting Harm* study in South Africa could not identify an appropriate sample of children and their caregivers who entered the justice system for an OCSEA case. Further research is needed in South Africa to ascertain how children subjected to OCSEA experience the justice process. Although not with children themselves, interviews for *Disrupting Harm* with legal professionals who had handled OCSEA cases in the legal system provided some insights into children's experiences of the police and courts.

The proportion of cases in the South African courts that were known to involve OCSEA was perceived by the justice professionals interviewed to be small. However, during interviews, at least four interviewees described feeling that OCSEA cases were becoming increasingly visible.

The government representatives and criminal justice professionals interviewed for *Disrupting Harm* were of the opinion that one of the most significant challenges regarding OCSEA and the legal system is how long it takes for investigations and prosecutions to occur. Additionally, interviewees mentioned that there is a lack of knowledgeable and trained legal personnel, a high turnover of staff, and a costly reliance on private sector providers for certain investigative expertise. The lack of practical avenues through which to seek and receive compensation for children and the increased burden on survivors were also mentioned by the professionals interviewed as being key issues. Currently, the legislation provides a right to compensation for children who were subjected to abuse or exploitation, but only in the context of trafficking.

At the same time, a number of positive practices in the South African courts were mentioned by some justice professionals who were of the opinion that courts are evolving to accommodate children. Some of the practices that were positively described by interviewees included magistrates making efforts to use child-friendly language, prosecutors trying to build good relationships with the children, the utilisation of an intermediary system in order to reduce re-traumatisation in court, and wearing casual clothes during proceedings to create a friendlier atmosphere. Many justice professionals also noted efforts to increase training and incorporate OCSEA into existing child sexual abuse response agendas.

It is worth noting that in December 2021, South Africa amended its legislation relating to sexual crimes – the Criminal Law (Sexual Offences and Related Matters) Amendment Act – to more comprehensively account for OCSEA. The legislation now criminalises grooming children with the intent of sexually abusing them in person *and also* grooming that is committed only online, for example, for the production of CSAM. As the High Court of South Africa observed: “manipulation of a child’s sexual psyche by an adult for his or her own amusement or sexual diversion is harmful conduct which may have far reaching consequences for the child, even if the adult has no intention of ultimately performing any overt sexual act with the child”.

Social services

South Africa has laws that require the provision of social support services to children subjected to various crimes, and these laws also protect children subjected to OCSEA. Although children could not be interviewed to assess their access to social services, frontline workers provided some insights into the perceived barriers to access. According to the frontline workers surveyed, some of the key barriers that hindered children's effective access to services in the country included the following: a concentration of social support services (psychological, legal, medical, and reintegration) in urban areas, the cost of services, and language barriers.

Insights

The key insights and takeaways from this report include:

1. In the past year, between 7%–9% of internet-using children in South Africa had been subjected to any of these clear examples of online child sexual exploitation and abuse: being blackmailed to engage in sexual activities, having their sexual images shared without permission, or being coerced to engage in sexual activities through promises of money or gifts.
2. Children who were subjected to OCSEA on social media mainly reported being targeted through the major social media providers, most commonly via Facebook/Facebook Messenger and WhatsApp.
3. Many of the children who were subjected to OCSEA did not tell anyone what had happened. Those who disclosed their abuse tended to turn to people they knew, particularly their friends. Children almost never reported their cases to helplines or the police.
4. Promising initiatives driven by both government and civil society are underway in South Africa. However, challenges exist, including varying levels of capacity among responders, limited budget and investigation equipment, and a high staff turnover.
5. While OCSEA-related legislation, policies, and standards exist in South Africa, further efforts are needed to ensure that they are implemented.

The report ends with a detailed map for action to be taken by the government, law enforcement, the justice and social services sectors and those working within them, by communities, teachers and caregivers, and by digital platforms and service providers. These are too detailed to be recounted in the Executive Summary, but can be found on [page 90](#) of this report.

DISRUPTING HARM METHODS

As with all the settings in which children live and grow, the online environment can expose them to risks of sexual exploitation and abuse. However, the scarcity of the available evidence makes it difficult to grasp the nature of the harm caused or to make constructive recommendations on public policies for prevention and response. Informed by the 2018 WeProtect Global Alliance Threat Assessment¹ and a desire to understand and deepen the impact of its existing investments, the Global Partnership to End Violence against Children, through its Safe Online initiative, decided to invest in research to strengthen the evidence base on OCSEA – with a particular focus on 13 countries across Eastern and Southern Africa and Southeast Asia.

The countries of focus in the Southeast Asian region are Cambodia, Indonesia, Malaysia, the Philippines, Thailand, and Vietnam. The countries of focus in the Eastern and Southern Africa region are Ethiopia, Kenya, Mozambique, Namibia, South Africa, Tanzania, and Uganda.

ECPAT, INTERPOL, and UNICEF Office of Research – Innocenti worked in collaboration to design and implement the *Disrupting Harm* project. In total, the three organisations collected data for nine unique research activities. Extensive data collection took place from early 2020 through to early 2021 and focused on the three-year period of 2017–2019. This was followed by intensive triangulation, which resulted in a series of 13 country reports. Using the same methodology in all participating countries also allows for inter-country comparisons. The findings and recommendations are expected to have relevance for a broader global audience.

The data analysis for South Africa was finalised in April 2022. The desired outcome of this report is to provide a baseline and evidence for policy makers in South Africa with which to tackle and prevent online child sexual exploitation and abuse and strengthen support to children. The recommendations made

in the report are aligned with the WeProtect Model National Response² and contribute to the 2030 Agenda for Sustainable Development.³

Summary of methods used by ECPAT International in South Africa

Interviews with government representatives

Between June and September 2020, interviews were conducted with a total of 11 senior national government representatives⁴ with mandates that included OCSEA. The majority of interviews were conducted in person, but, due to the COVID-19 pandemic, some were conducted virtually. More information on the methodology can be found [here](#), while the preliminary report of this data can be found [here](#).⁵

Analysis of non-law enforcement data and consultations

A range of non-law enforcement stakeholders provided data and insights on the nature and scale of OCSEA. Data was obtained from the International Association of Internet Hotlines (INHOPE)⁶, the Internet Watch Foundation⁷, and Child Helpline International.⁸ Qualitative insights were provided by a number of global technology platforms. Where relevant, this information supplements the analysis contributed by INTERPOL.

1. WeProtect Global Alliance. (2018). [Global Threat Assessment 2018: Working together to end the sexual exploitation of children online](#). London: WeProtect Global Alliance.

2. WeProtect Global Alliance. (2016). [Preventing and Tackling Child Sexual Exploitation and Abuse: A model national response](#). London: WeProtect Global Alliance.

3. United Nations. (n.d.) [Sustainable Development Goals](#). See: Goals 5.2, 8.7, and 16.2.

4. Participants represented: The Serial and Electronic FCS Investigations department of the South African Police Service, The South African Law Reform Commission, The Children's Institute from University of Cape Town, The National Prosecuting Authority, The Teddy Bear Foundation, The Western Cape Education Department, The Department of Social Development, The Department of Basic Education, The Department of Justice, The AU OCSEA Study, and The National Prosecuting Agency Limpopo.

5. The format RAI-SA-01-A is used for IDs. 'RAI' indicates the research activity, 'SA' denotes South Africa, '01' is the participant number, and 'A' indicates the participant when interviews included more than one person.

6. A global network of 46 member hotlines. INHOPE supports the network in combating child sexual abuse material. For more information see: <https://www.inhope.org/EN>.

7. UK-based organisation working to remove online child sexual abuse content hosted anywhere in the world. For more information see: <https://www.iwf.org.uk/>.

8. Child Helpline International collects knowledge and data from child helpline members, partners, and external sources. For more information see: <https://www.childhelplineinternational.org/about/>.

Frontline social service providers' survey

A non-probability convenience sample of 49 client-facing frontline workers in South Africa, including outreach youth workers, social workers, case managers, psychologists, and some health and legal professionals directly working with children's cases, participated in a survey, which was administered online between March and July of 2020. This research activity aimed to explore the scope and context of OCSEA as it is observed by those working the social support frontline to prevent and respond to it. More information on the methodology can be found [here](#), while the preliminary summary report of this data can be found [here](#). Attributions to data from these respondents have ID numbers beginning with RA3 throughout the report.

Access to Justice interviews with justice professionals

Interviews with 10 criminal justice professionals were conducted between August and October 2020. The sample included government and non-government representatives who had experience with OCSEA criminal cases.⁹ More information on the methodology can be found [here](#), while the preliminary summary report of the data can be found [here](#).

Access to Justice interviews with OCSEA victims¹⁰ and their caregivers

Ten interviews with 15-18-year-old children and their caregivers were also outlined. However, despite extensive efforts, the *Disrupting Harm* study in South Africa could not identify an appropriate sample of children subjected to OCSEA and their caregivers and so these perspectives are unfortunately not represented in the South Africa report. Identifying participants who had been subjected to child sexual exploitation and abuse with a predominant 'online' or technology-facilitated aspect was difficult. Professionals in South Africa do not perceive a distinction between online and offline forms of child sexual exploitation and abuse and case recording rarely distinguishes between them. As addressed in *Disrupting Harm*, this represents a mature and nuanced understanding of the issues and should be encouraged; however, as the inclusion criteria for the research are somewhat artificially designed, it led to challenges in securing a sample.

The majority of children identified as experiencing predominantly online forms of child sexual exploitation and abuse did not reach the prosecution stage of the justice process. The children who had entered the justice system did not do so primarily for the 'online' elements of their cases.

Literature review and legal analysis

A literature review was undertaken to inform the research teams prior to primary data collection. A comprehensive analysis of the legislation, policy, and systems addressing OCSEA in South Africa was conducted and finalised in June 2020. More information on the methodology can be found [here](#), while the full report on the legal analysis can be found [here](#).

Conversations with OCSEA survivors¹¹

Unstructured, one-on-one conversations led by trauma-informed expert practitioners were arranged with 33 young survivors of OCSEA in five *Disrupting Harm* countries (nine girls in Kenya, five boys and seven girls in Cambodia, seven girls in Namibia, four girls in Malaysia, and one boy in South Africa). Although they were not held in all countries, these conversations are meant to underline common themes and issues in all 13 *Disrupting Harm* countries. Participants were aged between 16 and 24 but had all been subjected to OCSEA as children. The survivor conversations were analysed collectively for all countries and lessons are incorporated into all the national reports. The South Africa report presents data from the one conversation in South Africa.

More information on the methodology can be found [here](#). The report containing the analysis of all 33 survivor conversations will be released separately in 2022. Attributions to data from these respondents have ID numbers beginning with RA5 throughout the report.

9. The sample included representatives from the South African Police Service, Cause for Justice, Legal Aid SA, National Prosecution Authority, The Guardian, and a forensic psychologist.

10. The term 'OCSEA victims' refers to their role as victim in the criminal justice process.

11. The term 'OCSEA survivor' refers to children who were victimised but may no longer identify with the term victim as they are on the path of healing.

Summary of methods used in South Africa by INTERPOL

Quantitative case data analysis

Data was sought on cases related to OCSEA from law enforcement authorities via the INTERPOL National Central Bureau in each country. Data was also obtained from the mandated reports of U.S.-based technology companies to the National Center for Missing and Exploited Children (NCMEC) and from a number of other partner organisations with a view to deepening the understanding of relevant offences committed in the country, offender and victim behaviour, crime enablers, and vulnerabilities. Crime data was analysed for the three years from 2017 to 2019.

Qualitative capacity assessments

In addition to seeking data on OCSEA cases, INTERPOL requested data on the capacity of the national law enforcement authorities to respond to this type of crime and interviewed serving officers. Particular emphasis was placed on human resources, access to specialist equipment and training, investigative procedures, the use of tools for international cooperation, achievements, and challenges. Attributions to data from this activity have ID numbers beginning with RA8 throughout the report. More information on INTERPOL's methodologies can be found [here](#).

Summary of methods used in South Africa by UNICEF Office of Research – Innocenti

Household survey of internet-using children and their caregivers

In order to understand children's use of the internet and the risks and opportunities they face online, particularly OCSEA, a nationally representative household survey was conducted with 2,643 internet-using children across all nine provinces of South Africa. In addition, 1,393 caregivers of the children surveyed were also included in the study.¹²

The survey of internet-using children was conducted in a slightly different manner in South Africa as compared to the 12 other countries included in the *Disrupting Harm* project. Data collection was coordinated and carried out by the Bureau of Market Research (Pty) Ltd at the University of South Africa on behalf of UNICEF South Africa and UNICEF Office of Research – Innocenti. The survey used for this research activity was a modified version of the *Disrupting Harm* survey used in the other 12 study countries, meaning that data on many of the same indicators was collected in South Africa as well.

The fieldwork took place between March and November 2020. In other countries included in *Disrupting Harm*, the survey was conducted solely through face-to-face household interviews; however, the survey data in South Africa was collected via a combination of household face-to-face interviews and computer-aided telephone interviews. Due to COVID-19 disrupting the data collection, some surveys were completed online under the supervision of researchers from the Bureau of Market Research. For the purposes of ensuring that the data presented in this report is as comparable as possible to the other *Disrupting Harm* reports, the analysis of the survey data herein only includes the 1,639 internet-using children (out of the original 2,643) who were interviewed *face-to-face* in their households. The term 'household survey' will therefore be used throughout the report to indicate findings that come from this specific research activity.

In addition, the target population for the survey was children aged 9-17 in South Africa who had used the internet in the past 12 months before the interview. The survey in other *Disrupting Harm* study countries focused on 12-17-year-olds who had used the internet in the past three months. The sample characteristics for the 1,639 children used in the analysis in this report are as follows:

12. Caregivers were from the same family as the child surveyed. Caregivers of the child surveyed were included in the study in one out of every two households, meaning that the ratio of caregivers to children surveyed was 1:2. This resulted in a caregiver sample of 1,393.

Figure 1: Household survey sample characteristics.

Demographic variable	Proportion of total sample
Girls	897 (55%)
Boys	742 (45%)
9-11	312 (19%)
12-13	229 (21%)
14-15	417 (25%)
16-17	571 (35%)
Rural ¹³	380 (23%)
Peri-urban	98 (6%)
Urban	204 (12%)
Township	957 (58%)

Base: Internet-using children aged 9-17 in South Africa from the *Disrupting Harm* study. n = 1,639.

Figure 2: Sample size achieved, per province.

Demographic variable	Children		Caregivers	
	n	%	n	%
KwaZulu-Natal	357	22	317	23
Gauteng	367	22	286	21
Eastern Cape	191	12	175	13
Limpopo	191	12	161	12
Western Cape	165	10	128	9
Mpumalanga	132	8	121	9
North-West	98	6	85	6
Free State	63	4	71	5
Northern Cape	75	5	49	4
TOTAL	1,639	100	1,393	100

Base: Internet-using children aged 9-17 in South Africa from the *Disrupting Harm* study. n = 1,639.

To achieve a nationally representative sample, the survey used random probability sampling with national coverage. The 2,643 households were proportionately sampled according to the relative distribution of households by geographic area, stratified by urban and non-urban areas. All nine provinces in South Africa were included in the survey sample. The figure below shows the distribution of the 1,639 children and 1,393 caregivers across the nine provinces (see Figure 2).

Ethical approval

UNICEF Innocenti's research component was reviewed and approved by the Research Ethics Review Committee of the Bureau of Market Research (Pty) Ltd at UNISA. ECPAT's components were reviewed and approved by the Research Ethics Committee, University of Pretoria. The protocols of both ECPAT and UNICEF were also reviewed and approved by the Health Media Lab Institutional Review Board.

The INTERPOL research activities entailed interviews with law enforcement officials in units dealing with the crime in question, and with relevant police units and national agencies that handle police data. INTERPOL did not have contact with children or individuals subjected to OCSEA. Nevertheless, to ensure proper ethical conduct and research standards, the INTERPOL team completed an online course on [Responsible Conduct of Research from the Collaborative Institutional Training Initiative](#). Furthermore, all research activities were implemented in accordance with [INTERPOL's Code of Conduct](#).

National consultation

In a national consultation that took place on 21 June 2022, representatives from government, law enforcement, civil society, and other sectors were asked to provide input on the *Disrupting Harm* findings and recommended actions in order to enhance their relevance for the national context.

13. The areas included in the survey are defined as:

1. Rural areas – country areas with a lower density of population.
2. Peri-urban areas – areas (mostly towns) located between cities and rural areas.
3. Urban areas – areas surrounding cities with a high density of population.
4. Townships – residential areas near cities or towns, which are underdeveloped and occupied by a high percentage of low-income families.

The categorisation of areas was pre-determined before the start of the fieldwork. Fieldworkers within the specified areas, who were familiar with the identified areas, were recruited to assist with the fieldwork.

DISRUPTING HARM METHODS

Figure 3: *Disrupting Harm* methods in South Africa.



ABOUT ONLINE CHILD SEXUAL EXPLOITATION AND ABUSE

Child sexual abuse refers to various sexual activities perpetrated against children (persons under 18), regardless of whether or not the children are aware that what is happening to them is neither normal nor acceptable. It can be committed by adults or peers and usually involves an individual or group taking advantage of an imbalance of power. It can be committed without explicit force, with offenders frequently using authority, power, manipulation, or deception.¹⁴

Child sexual exploitation involves the same abusive actions. However, an additional element of a threat or exchange for something (e.g., money, shelter, material goods, non-material things such as protection or a relationship), or even the mere promise of such, must also be present.¹⁵

Online child sexual exploitation and abuse (OCSEA) refers to situations involving *digital, internet, and communication technologies* at some point during the continuum of abuse or exploitation. OCSEA can occur fully online or through a mix of online and in-person interactions between offenders and children.

Labelling child sexual exploitation and abuse as exclusively 'online' or 'offline' does not help in understanding, preventing, or responding to the issue, nor is it the intention of *Disrupting Harm* to create such an artificial divide. Children can be abused or exploited while they spend time in the digital environment, but equally, offenders can use digital technology to facilitate their actions, e.g., to document and share images of in-person abuse and exploitation or to groom children to meet them in person.

Disrupting Harm also focuses on how technology facilitates child sexual exploitation and abuse and contributes evidence needed to understand the role digital technology plays in perpetrating sexual violence against children.

Any characterisation of OCSEA must recognise that the boundaries between online and offline behaviour and actions are increasingly blurred¹⁶ and that responses need to consider the whole spectrum of activities in which digital technologies may play a part. This characterisation is particularly important to keep in mind as children increasingly see their online and offline worlds as entwined and simultaneous^{17,18}

For *Disrupting Harm*, OCSEA was defined specifically to include child sexual exploitation and abuse that involves the following:

- **The production, possession, or sharing of child sexual abuse material (CSAM):** Photos, videos, audios, or other recordings, or any other representation of real or digitally generated child sexual abuse or the sexual parts of a child for primarily sexual purposes.¹⁹
- **Live-streaming of child sexual abuse:** Child sexual abuse that is perpetrated and viewed simultaneously in real-time via communication tools, video conferencing tools, and/or chat applications. In most cases, the offender requesting the abuse in exchange for payment or other material benefits is physically in a different location from the child(ren) and the facilitators of the abuse.
- **Online grooming of children for sexual purposes:** Engagement with a child via technology with the intent of sexually abusing or exploiting the child.

14. Interagency Working Group on Sexual Exploitation of Children. (2016). [Terminology Guidelines for the Protection of Children from Sexual Exploitation and Sexual Abuse](#). Bangkok: ECPAT International. 18.

15. Interagency Working Group on Sexual Exploitation of Children. (2016). [Terminology Guidelines for the Protection of Children from Sexual Exploitation and Sexual Abuse](#). Bangkok: ECPAT International. 24.

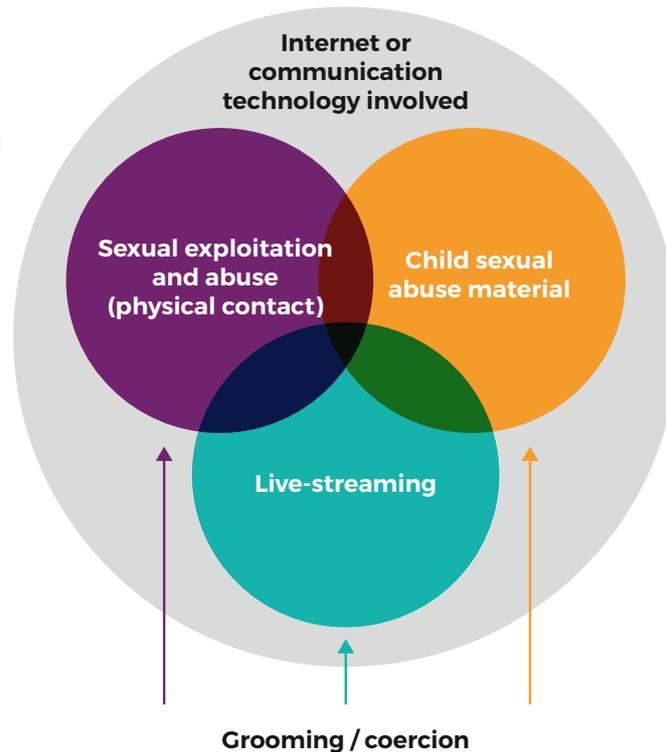
16. May-Chahal, C., & Palmer, C. (2018). [Rapid Evidence Assessment: Characteristics and vulnerabilities of victims of online-facilitated child sexual abuse and exploitation](#). Independent Inquiry into Child Sexual Abuse. UK: Lancaster University.

17. Stoilova, M., Livingstone, S., Khazbak, R. (2021). [Investigating Risks and Opportunities for Children in a Digital World: A rapid review of the evidence on children's internet use and outcomes](#). Innocenti Discussion Papers no. 2021-01, Florence: UNICEF Office of Research – Innocenti.

18. Third, A, Bellerose, D, Dawkins, U, Keltie, E & Pihl, K. (2014). [Children's Rights in the Digital Age: A Download from Children Around the World](#). Young and Well Cooperative Research Centre, Melbourne.

19. Interagency Working Group on Sexual Exploitation of Children. (2016). [Terminology Guidelines for the Protection of Children from Sexual Exploitation and Sexual Abuse](#). Bangkok: ECPAT International. 40.

Figure 4: Framing the main forms of online child sexual exploitation and abuse explored by *Disrupting Harm*.



While international legal instruments²⁰ criminalising grooming indicate that this must take place with intent to meet the child in person, it has become increasingly common for offenders to sexually abuse children online by, for example, manipulating them into self-generating and sharing CSAM through digital technologies, without necessarily having the intention of meeting them and abusing them in person.

The *Disrupting Harm* reports also address other phenomena that contribute to understanding the contexts and socio-cultural environments in which OCSEA occurs.

- **The sharing of self-generated sexual content involving children²¹** can lead to or be part of OCSEA, even if this content is initially produced and shared voluntarily between peers, as it can be passed on without permission or obtained through deception or coercion.

- **Sexual extortion of children²²** refers to the use of blackmail or threats to extract sexual content or other benefits (e.g., money) from the child, often using sexual content of the child that has previously been obtained as leverage.
- **Sexual harassment of a child²³ and unwanted exposure of a child to sexual content²⁴** are other phenomena which *can* constitute or enable OCSEA in some instances. For example, offenders can deliberately expose children to sexual content as part of grooming to desensitise them to sexual acts. However, for the purposes of evidence-based policy and programme development, it is important to acknowledge that there are differences between voluntary viewing of sexual content by children and viewing that is forced or coerced. The former is not included in the definition of OCSEA used in the *Disrupting Harm* study.

20. The only two legally binding international instruments containing an obligation to criminalise the grooming of children for sexual purposes are: Council of Europe. (2007). [Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse](#). Council of Europe Treaty Series – No. 201. Article 23; and European Parliament and Council. (2011). [Directive 2011/92/EU on combating the sexual abuse and sexual exploitation of children and child pornography, and replacing Council Framework Decision 2004/68/JHA](#). Article 6.

21. Cooper, K., Quayle, E., Jonsson, L. & Svedin, C.G. (2016). [Adolescents and self-taken sexual images: A review of the literature](#). Computers in Human Behavior, vol. 55, 706–716.

22. Interagency Working Group on Sexual Exploitation of Children. (2016). [Terminology Guidelines for the Protection of Children from Sexual Exploitation and Sexual Abuse](#). Bangkok: ECPAT International. 52.

23. Interagency Working Group on Sexual Exploitation of Children. (2016). [Terminology Guidelines for the Protection of Children from Sexual Exploitation and Sexual Abuse](#). Bangkok: ECPAT International. 21.

24. Interagency Working Group on Sexual Exploitation of Children. (2016). [Terminology Guidelines for the Protection of Children from Sexual Exploitation and Sexual Abuse](#). Bangkok: ECPAT International. 44.

ABOUT SOUTH AFRICA – DEMOGRAPHICS AND INTERNET USAGE

Despite increasing connectivity around the world, few countries regularly update their formal internet use statistics or disaggregate them for their child populations. This presents a challenge in understanding how young people's lives are impacted by digital technologies, particularly in low- and middle-income countries. The infographic below summarises the latest available data on internet access and social media use in South Africa. Some of this data was gathered directly through the *Disrupting Harm* household survey data from internet-using 9-17-year-olds.

The data below provides an important backdrop for understanding the various facets of children's internet use. However, methodological limitations that affected the data quality for some secondary sources should be kept in mind. Relying on purposive or other non-probability sampling techniques means that the data cannot be considered representative of the population in question. In other cases, variations in the data collection methods and definitions of internet use pose a challenge for cross-country comparisons.



POPULATION TOTAL 2020

Country data:

59,622,000²⁴

UN data:

2020: 59,309,000



FEMALE POPULATION 2020

Country data:

30,493,000²⁵



MALE POPULATION 2020

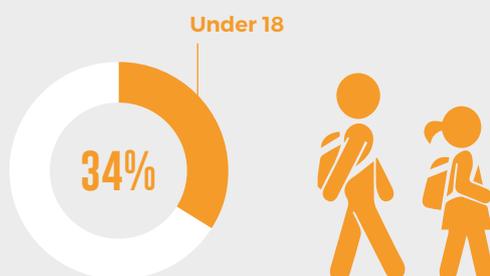
Country data:

29,129,000²⁶

POPULATION UNDER 18 2020

UN data:

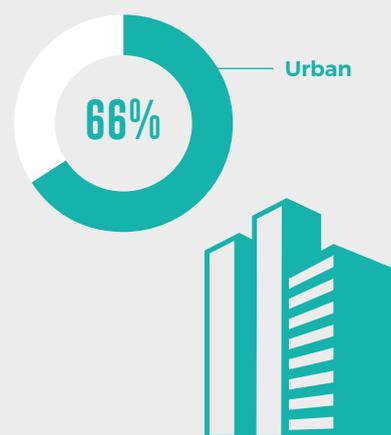
20,064,000²⁷



URBAN POPULATION

2018: 66%²⁸

2030 prospective: 72%²⁹



MEDIAN AGE 2020³⁰

28



GDP PER CAPITA 2020 (US\$)

\$5,656³¹



25. Statistics South Africa. (2020). *Stats in Brief 2020. Mid-year population estimates*. (Statistical release P0302).

26. Statistics South Africa. (2020). *Stats in Brief 2020. Mid-year population estimates*. (Statistical release P0302).

27. Statistics South Africa. (2020). *Stats in Brief 2020. Mid-year population estimates*. (Statistical release P0302).

28. UNICEF. (2021). *The State of the World's Children 2021*. UNICEF, New York.

29. United Nations Population Division. (n.d.). *World Urbanization Prospects: The 2018 Revision*.

30. United Nations Population Division. (n.d.). *World Urbanization Prospects: The 2018 Revision*.

31. United Nations Population Division. (n.d.). *World Population Prospects 2019*.

32. World Bank. (2020). *GDP per capita (current US\$) - South Africa*.

ABOUT SOUTH AFRICA – DEMOGRAPHICS AND INTERNET USAGE

OFFICIAL LANGUAGES³²



REPORTED INTERNET PENETRATION RATE (2019 ITU ESTIMATE): 68%³³



INTERNET USE AMONG CAREGIVERS OF INTERNET-USING CHILDREN

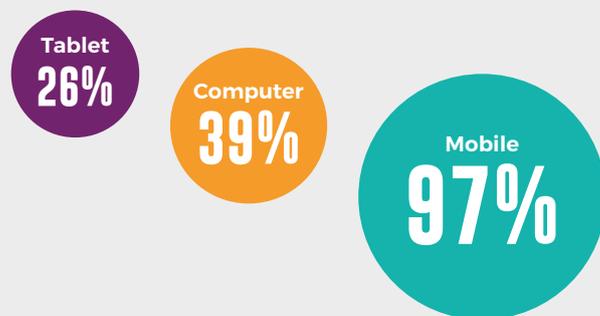
Source: Disrupting Harm data



Base: Caregivers of internet-using children aged 9-17 in South Africa. n = 1,393.

MOST POPULAR DEVICE TO ACCESS THE INTERNET AMONG 9-17-YEAR-OLDS*

Source: Disrupting Harm data

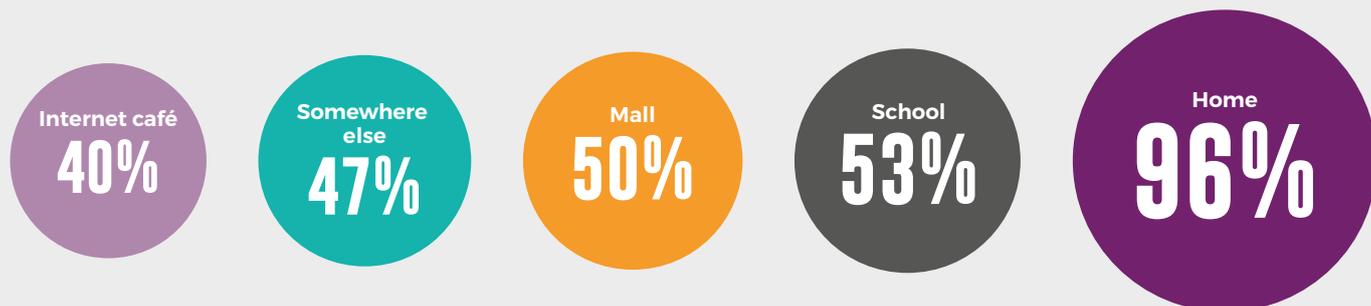


Base: Internet-using children aged 9-17 years old in South Africa. n = 1,639.

*Multiple choice question

MOST POPULAR PLACE TO ACCESS THE INTERNET AMONG 9-17-YEAR-OLDS*

Source: Disrupting Harm data



Base: Internet-using children aged 9-17 years old in South Africa. n = 1,639.

*Multiple choice question

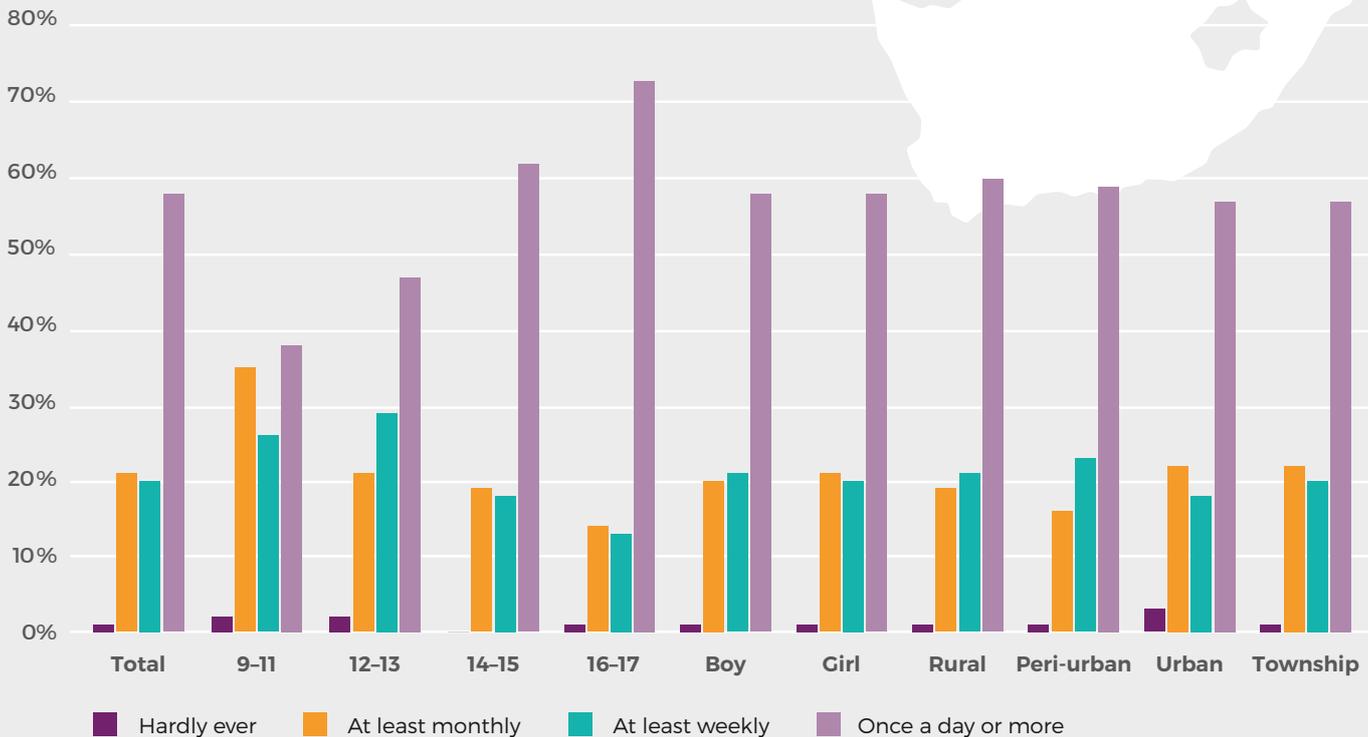
33. Republic of South Africa. (1996). Constitution of the Republic of South Africa Act No. 108 of 1996, Section 6(1).

34. International Telecommunications Union. (2020). Country ICT data: [Percentage of Individuals Using the Internet](#).

ABOUT SOUTH AFRICA – DEMOGRAPHICS AND INTERNET USAGE

FREQUENCY OF INTERNET USE AMONG 9–17-YEAR-OLDS

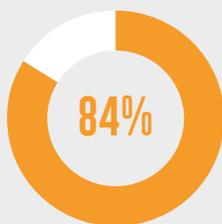
Source: Disrupting Harm data



Base: Internet-using children aged 9-17 in South Africa. n = 1,639.

CHILDREN WHO USE SOCIAL MEDIA ON A WEEKLY BASIS OR MORE

Source: Disrupting Harm data



Base: Internet-using children aged 9-17 years old in South Africa. n = 1,639.

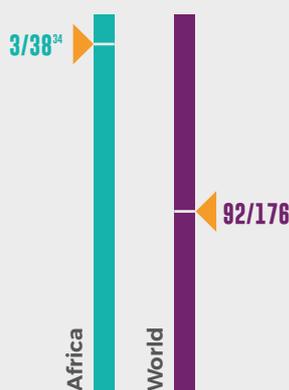
CHILDREN WHO USE INSTANT MESSAGING APPS ON A WEEKLY BASIS OR MORE

Source: Disrupting Harm data



Base: Internet-using children aged 9-17 years old in South Africa. n = 1,639.

ICT DEVELOPMENT INDEX RANKING (ITU) 2017



GLOBAL CYBERSECURITY INDEX RANKING 2018³⁵



35. International Telecommunication Union. (2017). *ICT Development Index 2017*.

36. The Global Cybersecurity Index measures the commitment of countries to cybersecurity based on the implementation of legal instruments and the level of technical and organisational measures taken to reinforce international cooperation and cybersecurity.

37. International Telecommunication Union. (2019). *Global Cybersecurity Index (GCI) 2018*.

OVERVIEW OF LEGISLATION AND POLICY

Up until November 2021, the most relevant pieces of South African legislation related to OCSEA were the Criminal Law (Sexual Offences and Related Matters) Amendment Act of 2007³⁸ and the Film and Publications Act of 1996.³⁹ On the 1st of December 2021, following a presidential proclamation,⁴⁰ some sections of the Cybercrimes Act were commenced. These sections amend the Criminal Law (Sexual Offences and Related Matters) Amendment Act to make it more comprehensive as far as OCSEA offences are concerned, and to address the fragmentation and overlap between different legislations (which was noted as a challenge during interviews with relevant national professionals) by deleting the provisions of the Film and Publications Act aimed at criminalising conduct associated with CSAM.⁴¹

The central legislation relating to OCSEA is currently the Criminal Law (Sexual Offences and Related Matters) Amendment Act, as amended by the Cybercrimes Act. This legislation comprehensively defines CSAM⁴² and criminalises conduct associated with it.⁴³ It further criminalises the sexual grooming of children by extensively detailing all specific conduct that would amount to this crime.⁴⁴

The definition covers two types of adult misconduct as observed by a South African Court.⁴⁵ Firstly, it includes conduct with the intention to “encourage or persuade” a child to perform a sexual act; and, secondly, conduct with the intention to “diminish or reduce any resistance or unwillingness” on the part of the child to engage in a sexual act.

Crucially, the Criminal Law (Sexual Offences and Related Matters) Amendment Act criminalises grooming children with the intent of sexually abusing them in person *and also* grooming that is committed only online (for example, for the production of CSAM).⁴⁶ As the High Court of South Africa observed: “Manipulation of a child’s sexual psyche by an adult for his or her own amusement or sexual diversion is harmful conduct which may have far reaching consequences for the child, even if the adult has no intention of ultimately performing any overt sexual act with the child”.⁴⁷

Although the Cybercrimes Act amended the Criminal Law (Sexual Offences and Related Matters) Amendment Act in order to insert the definition of “live performance involving child pornography”⁴⁸ and criminalise those who attend, view, or participate in such live performances,⁴⁹ it is not explicitly indicated whether these provisions would apply to live-streamed child sexual abuse. The Cybercrimes Act also includes provisions to fully criminalise the non-consensual sharing of nude and sexual images of any person.⁵⁰

38. Republic of South Africa. (2007). [Criminal Law Amendment \(Sexual Offences and Related Matters\) Act No. 32 of 2007](#).

39. Republic of South Africa. (2019). [The Film and Publication Act No. 65 of 1996 \(as amended by Amendment Act No. 11 of 2019\)](#).

40. Department of Justice and Constitutional Development. (2021, November 30). [Proclamation by the President of the Republic of South Africa. Commencement of certain sections of the Cybercrimes Act of 2020](#).

41. Republic of South Africa. (2021). [Act No. 19 of 2020: Cybercrimes Act, 2020](#), Schedule, Section 58.

42. Republic of South Africa. (2007). [Criminal Law Amendment \(Sexual Offences and Related Matters\) Act No. 32 of 2007](#), Section 1(1).

43. Republic of South Africa. (2007). [Criminal Law Amendment \(Sexual Offences and Related Matters\) Act No. 32 of 2007](#), Section 19A and 20, as amended by [Act No. 19 of 2020: Cybercrimes Act, 2020](#), Schedule, Section 58.

44. Republic of South Africa. (2007). [Criminal Law Amendment \(Sexual Offences and Related Matters\) Act No. 32 of 2007](#), Section 18.

45. High Court of South Africa (Kwazulu-Natal Division). (2015). [Ravi Chetty v. State \[2015\], ZAKZPHC 41, P.23](#).

46. Republic of South Africa. (2007). [Criminal Law Amendment \(Sexual Offences and Related Matters\) Act No. 32 of 2007](#), Section 18.

47. High Court of South Africa (Kwazulu-Natal Division). (2015). [Ravi Chetty v. State \[2015\], ZAKZPHC 41, P.23](#).

48. Republic of South Africa. (2007). [Criminal Law Amendment \(Sexual Offences and Related Matters\) Act No. 32 of 2007](#), Section 1, as amended by [Act No. 19 of 2020: Cybercrimes Act, 2020](#), Schedule, Section 58.

49. Republic of South Africa. (2007). [Criminal Law Amendment \(Sexual Offences and Related Matters\) Act No. 32 of 2007](#), Section 20, as amended by [Act No. 19 of 2020: Cybercrimes Act, 2020](#), Schedule, Section 58.

50. Republic of South Africa. (2021, June 1). [Act No. 19 of 2020: Cybercrimes Act, 2020](#), Section 16. Republic of South Africa. (2007). [Criminal Law Amendment \(Sexual Offences and Related Matters\) Act No. 32 of 2007](#), Section 11A, as amended by [Act No. 19 of 2020: Cybercrimes Act, 2020](#), Schedule, Section 58.

Another legislation that is relevant to OCSEA is the Children’s Act, which criminalises the “commercial sexual exploitation of children”, including the use of children in sexual activities such as “pornography” for financial gain or reward.⁵¹ This act prohibits persons from using, procuring, employing, or offering a child to participate in the creation of pornographic material.⁵²

While, overall, South Africa’s legislation is fairly comprehensive in regard to OCSEA, the implementation of laws was noted as a key stumbling block by the government representatives interviewed by the *Disrupting Harm* team. As the Principal State Law Advisor of the South African Law Reform Commission said: “*The law is only a piece of paper if not properly implemented.*” (RA1-SA-02-A)

“

The law is only a piece of paper if not properly implemented.

RA1-SA-02-A

”

51. Republic of South Africa. (2005). [Children’s Act No. 38 of 2005 \(as amended in 2010\)](#), Section 1(1) read with 141(1)(b).

52. Republic of South Africa. (2005). [Children’s Act No. 38 of 2005 \(as amended in 2010\)](#), Section 1(1) read with 141(1)(b).

PUBLIC AWARENESS OF ONLINE CHILD SEXUAL EXPLOITATION AND ABUSE

While the current legislation in South Africa indicates an understanding of OCSEA and a push towards a more comprehensive response to this type of crime, government representatives indicated that the levels of public awareness about OCSEA are insufficient. One professional was of the opinion that the lack of public awareness in South Africa is *“the single greatest obstacle to protecting children online.”* (RA1-SA-10-A) In the survey of frontline workers, while 23 out of 49 respondents rated the levels of public awareness of OCSEA as fair, 20 of the respondents rated it as poor. One frontline worker stated: *“The country is trying to give awareness of OCSEA; however, I feel like more needs to be done.”* (RA3-SA-14-A)

While the sample of frontline workers and government representatives is limited, some themes emerged relating to perceived low levels of public awareness of OCSEA in South Africa. Some interviewees were of the opinion that caregivers' lack of familiarity with the digital environment and cultural factors, such as discomfort talking about sexuality and sex, contributed to the low levels of awareness about OCSEA.

Lack of knowledge

The government representatives interviewed thought that children may not view OCSEA or related activities as serious or criminal acts. One social worker stated that awareness of peer-to-peer exploitation was lacking and under-reported as it is *“often not seen as abuse.”* (RA1-SA-06-A) The same social worker added: *“Children don't see sexual grooming as a sexual offence.”* The interviewee was of the opinion that sexting has become so common that children might not see it as inappropriate even when it is a case of OCSEA.

Furthermore, some interviewees took the view that, in some cases, when children disclose to a caregiver, the response may be dismissive: *“[it] may be looked on as ‘boys will be boys’ or ‘they’re just experimenting’”* rather than the crime that it is. (RA1-SA-06-A) Another interviewee echoed this opinion saying: *“People don't really see this as a real crime.”* (RA1-SA-10-A) A lack of awareness of what constitutes sexual exploitation and abuse – including when it occurs in, or is facilitated by, the digital space – is a hindrance to children's ability to recognise abusive situations, to disclose their abuse, and to seek support. Furthermore, it can also limit caregivers' ability to identify situations in which their children are facing online harm. Existing awareness-raising efforts in South Africa are discussed further in [chapter 3](#).

Generational gap

One researcher who was interviewed for *Disrupting Harm* spoke of a generational gap, referring to the idea that caregivers are far less comfortable and knowledgeable about children's online activities (RA1-SA-10-A). A frontline worker viewed this as having a negative impact on children: *“Children are more vulnerable online because parents rarely know the technology children are using and children are easily accessed through various platforms. People impersonate children to attract communication.”* (RA3-SA-45-A) However, despite the perception of a generational gap by some interviewees, data from the *Disrupting Harm* household survey reveals that children and caregivers were on par in terms of their digital skills (see chapter 1). Instead, the survey data reveals a divide between the digital skills of younger versus older caregivers that should be addressed. Caregivers older than 51 were consistently less likely to report a high level of digital skills as compared to the younger cohorts, particularly caregivers aged 30 or younger.

Cultural barriers

Some interviewees also spoke of socio-cultural factors that might make it difficult to discuss topics such as OCSEA. One government representative took the view that *“religious and cultural issues play a role; it’s difficult to talk about sexuality and these issues. We need to find ways of talking to children, adults, parents, and chiefs about these issues.”* (RA1-SA-10-A) A forensic psychologist further elaborated on this point: *“Parents don’t want to talk to their children [about OCSEA] and don’t want to talk about pornography. This avoidance and denial is common, until it happens.”* (RA4-SA-01-A) Additionally, 48 of the 49 frontline workers surveyed perceived ‘taboos around discussing sex and sexuality’ as a factor influencing children’s vulnerability to OCSEA. One frontline worker held the opinion that the common discomfort around openly discussing sex *“may nudge children towards online activity in their efforts to read up about things they disagree with or in an effort to find belonging to an online community.”* (RA3-SA-42-A) Another frontline worker was of the view that children can be *“lured into exploitative situations”* when the trusted adults in their lives do not provide them with guidance. (RA3-SA-45-A)

Reticence about discussing sexual matters, including sexual exploitation and abuse, may discourage children from feeling comfortable enough to ask questions, raise concerns, or seek help. This could impede both prevention and responses to OCSEA.



Religious and cultural issues play a role; it’s difficult to talk about sexuality and these issues. We need to find ways of talking to children, adults, parents, and chiefs about these issues.

RA1-SA-10-A



1. CHILDREN ONLINE IN SOUTH AFRICA

The main focus of the *Disrupting Harm* report series is to present the perspectives of young people, government representatives, service providers and others around the sexual exploitation and abuse of children facilitated or committed through digital technologies. However, it is important to situate these forms of violence against children within the wider context of children's internet use in the South Africa. This first chapter presents a brief overview of children's internet access and the activities enjoyed by the majority of children online before going on to describe the occurrence of riskier online activities and the ways in which these are perceived by internet-using children and their caregivers.

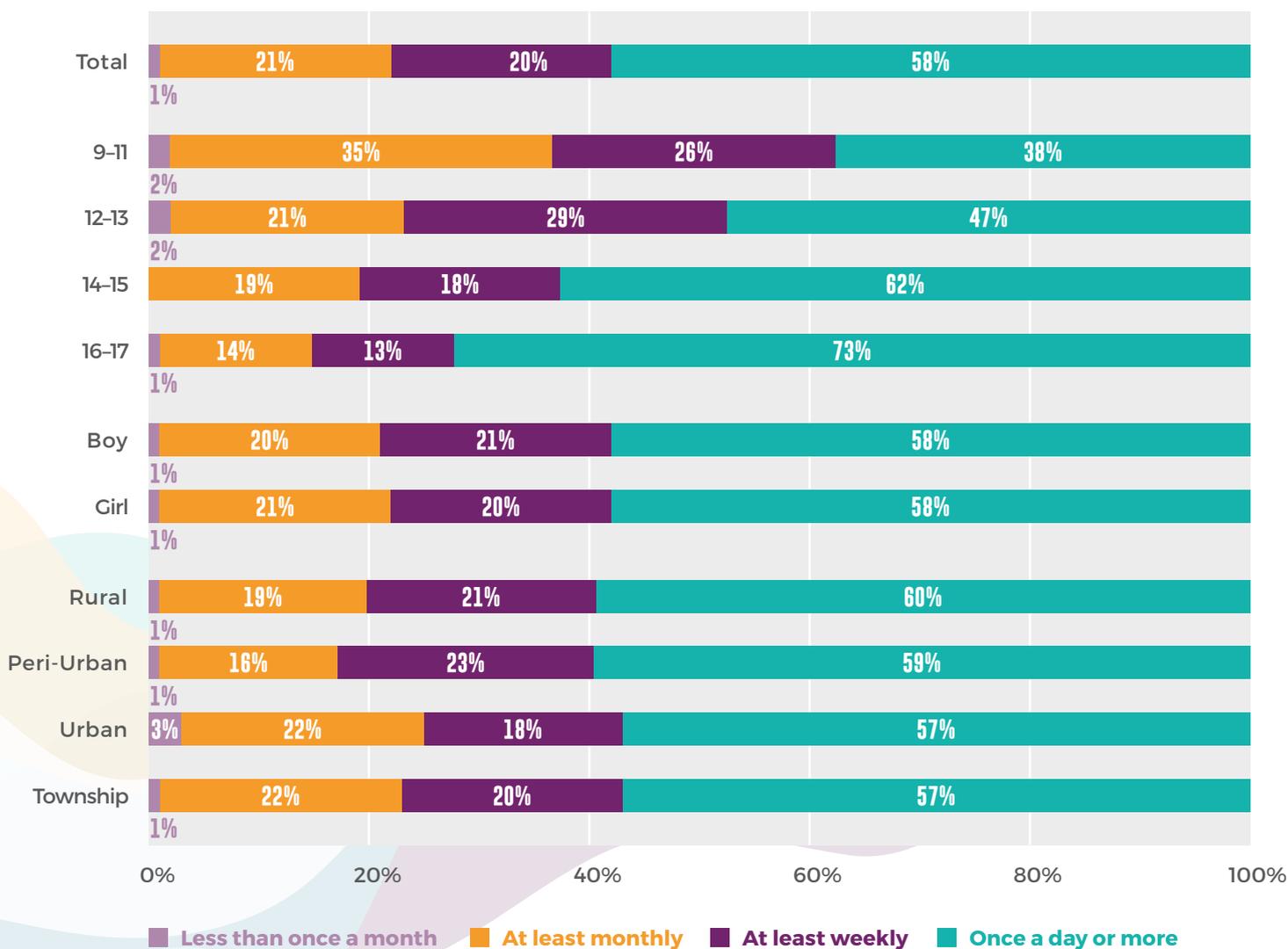
1.1 INTERNET ACCESS AND BARRIERS

Internet access

Among the internet-using children who participated in the *Disrupting Harm* household survey, 58% went online at least once a day. As shown in Figure 5, no gender differences were observed, while the frequency of internet use only differed minimally based on geographic location. However, children's internet use increased with age, as is the pattern in other countries around the world.⁵³ This is also consistent with data from 9-17-year-olds in three provinces in South Africa collected in 2016.⁵⁴

The survey also showed that approximately 20% of caregivers 'hardly ever' or 'never' used the internet, while among the children, only 1% 'hardly ever' went online. As shown in Figure 6, 78% of caregivers went online weekly or more often, a slight decrease from 2016 when 86% of caregivers reported going online at least every week.⁵⁵ Daily internet use was less common among the older caregivers surveyed, with 77% of caregivers aged 30 or younger reporting going online once a day or more, as compared to only 39% of caregivers older than 51 years.

Figure 5: Frequency of children's internet use.



Base: Internet-using children aged 9-17 in South Africa from the *Disrupting Harm* study. n = 1,639.

53. See: Global Kids Online: <http://globalkidsonline.net/>.

54. Phyfer, J., Burton, P. & Leoschut, L. (2016). *Global Kids Online South Africa: Barriers, opportunities and risks. A glimpse into South African children's internet use and online activities. Technical Report*. Cape Town: Centre for Justice and Crime Prevention.

55. Phyfer, J., Burton, P. & Leoschut, L. (2016). *Global Kids Online South Africa: Barriers, opportunities and risks. A glimpse into South African children's internet use and online activities. Technical Report*. Cape Town: Centre for Justice and Crime Prevention.

1.1 INTERNET ACCESS AND BARRIERS

Figure 6: Frequency of Caregiver's internet use.

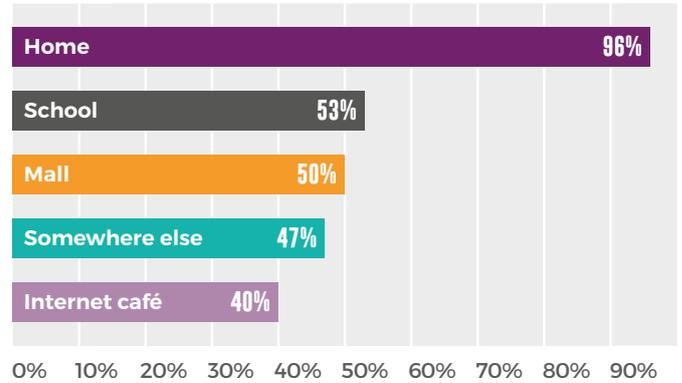


Base: Caregivers of internet-using children aged 9–17 in South Africa. n = 1,393.

As in several other countries, smartphones were by far the most common devices used by children to go online, likely due to their relatively low cost and portability:⁵⁶ among the children surveyed, 97% used smartphones. Over a third of the children surveyed (39%) said that they relied on computers or laptops to go online. Tablets were relatively less popular and were used by 26% of respondents. There were no substantial differences in the use of these devices according to children's gender, age, or level of urbanity.

Home was by far the most common location for internet use among 9–17-year-olds, followed by schools, with 96% of respondents reporting using the internet at home – with no notable differences according to the child's age or gender – and 53% going online in school. However, only 22% of children reported going online at school every day. Going online from school was equally common among boys and girls. Internet access at school was least common among the 9–11-year-olds surveyed and most common among 16–17-year-olds (39% and 67%, respectively).

Figure 7: Places where children go online.



Base: Internet-using children aged 9–17 in South Africa from the *Disrupting Harm* study. n = 1,639.

Children in South Africa also reported that they connected to the internet via public Wi-Fi networks at malls (50%) and internet cafés (40%). Once again, while the differences related to gender and urbanity were relatively small, the data shows distinct internet access patterns across age groups; for example, over twice as many 16–17-year-olds went online at internet cafés as compared to 9–11-year-olds (53% and 25%, respectively). Similarly, 63% of 16–17-year-olds reported going online at malls as compared to only 33% of 9–11-year-olds. The popularity of these public access points could have implications with regard to the regulations needed to keep children and young people safe while using these services. As shown in Figure 7, 47% of children said that they went online from a place not captured in the survey, which might, for example, refer to a friend's house or public places such as restaurants or libraries. However, this is not clear from the survey results and requires further research.

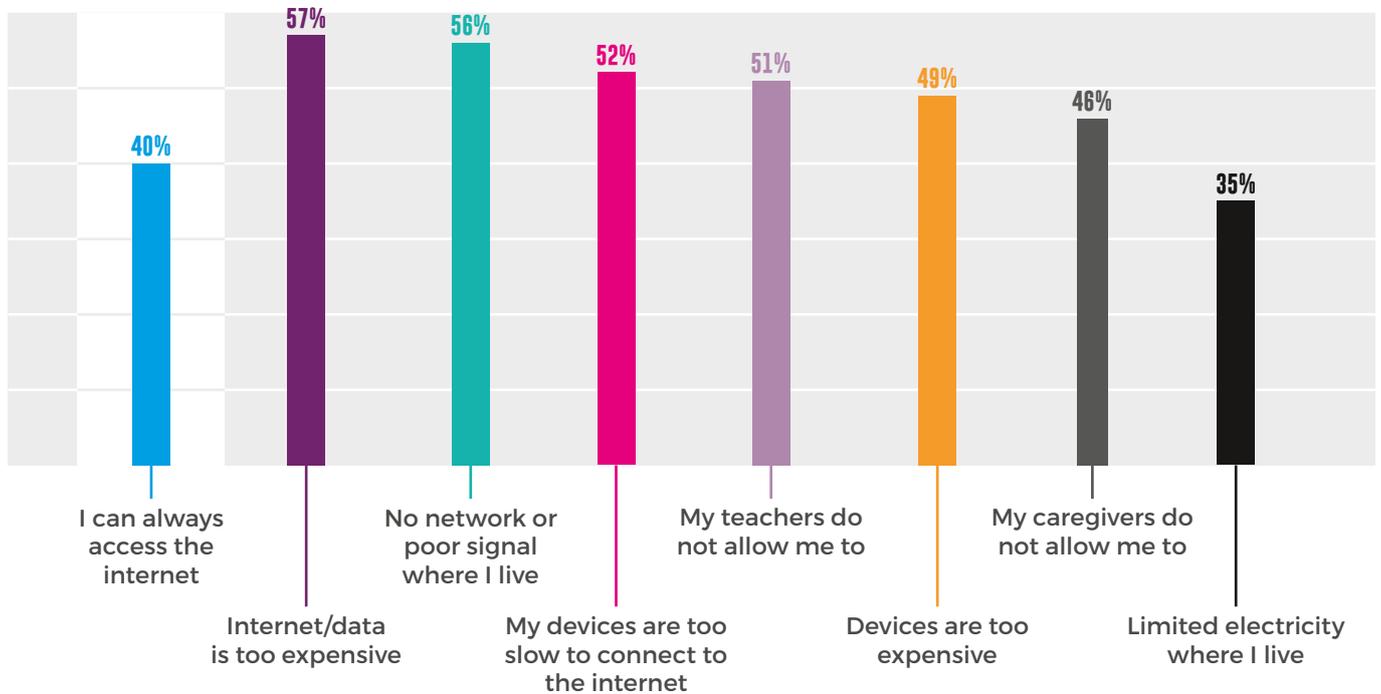
Barriers to accessing the internet

A majority (60%) of internet-using 9–17-year-olds in South Africa reported facing barriers in terms of accessing the internet when they wanted or needed to do so (see Figure 8). For these children, the most common barriers to access were related to poor internet connections and the cost of connecting to the internet. Both of these barriers were mentioned by over half of the children.⁵⁷ Devices that are too slow to effectively connect to the internet were the next most common barrier, affecting 52% of children.

56. Kardefelt Winther, D., Livingstone, S., & Saeed, M. (2019). *Growing up in a connected world*. Innocenti Research Report. Florence: UNICEF Office of Research – Innocenti.

57. This survey question allowed respondents to select multiple responses, as children might face several barriers to internet access.

Figure 8. Barriers to access for internet-using children.



Base: Internet-using children aged 9-17 in South Africa from the *Disrupting Harm* study. n = 1,639.

As shown in the figure above, children's internet access was also hindered by parental or teacher restrictions, the cost of purchasing devices, and limited electricity in the area where they live.

Unhindered internet access was more common among adolescents aged 16-17 (43%) as compared to younger respondents aged 9-11 (35%). Barriers related to devices were more likely to affect 16-17-year-olds as compared to those aged 15 and younger. For example, 59% of 16-17-year-olds said that their devices were too slow to connect to the internet in comparison to 46% of 9-11-year-olds.

Children also reported restrictions to internet access imposed by their teachers and, to a lesser extent, by their caregivers. As one might expect, a higher percentage of younger children cited parental restrictions as a barrier to access as compared to older children (ages 9-11: 54%; 12-13: 48%; 14-15: 45%; 16-17: 42%). However, the reverse was true when it came to teachers restricting internet access, with over half of children aged 16-17 reporting this as a barrier to access (57%) as compared to 46% of 9-11-year-olds.

Unhindered internet access was more common among adolescents aged 16-17 (43%) as compared to younger respondents aged 9-11 (35%). Barriers related to devices were more likely to affect 16-17-year-olds as compared to those aged 15 and younger. For example, 59% of 16-17-year-olds said that their devices were too slow to connect to the internet in comparison to 46% of 9-11-year-olds.

Children also reported restrictions to internet access imposed by their teachers and, to a lesser extent, by their caregivers. As one might expect, a higher percentage of younger children cited parental restrictions as a barrier to access as compared to older children (ages 9-11: 54%; 12-13: 48%; 14-15: 45%; 16-17: 42%). However, the reverse was true when it came to teachers restricting internet access, with over half of children aged 16-17 reporting this as a barrier to access (57%) as compared to 46% of 9-11-year-olds.

1.1 INTERNET ACCESS AND BARRIERS

Empowering Caregivers to Guide Their Children's Internet use

Caregivers can be a first line of defence in protecting children from online harm, particularly if they have a grasp of basic digital skills, are aware of online risks, avoid being overly restrictive, and focus on equipping their children to stay safe online.

Caregivers in South Africa demonstrated a high level of both internet use and digital skills. Only 13% of the caregivers surveyed said that they had never used the internet. A large proportion of caregivers self-reported strong digital skills. For example, 73% said they knew how to remove someone from their contacts list on social media and 60% knew how to change their privacy settings. The weakest digital skills according to caregivers were knowing how to check if a website can be trusted (36%) and creating a website (13%).

With respect to internet use and digital skills, older caregivers in South Africa seem to be at a disadvantage. Thirty-four percent of the caregivers aged 51 or above included in the household survey had never used the internet in comparison to 5% of caregivers aged 30 or less. In addition, only 39% went online daily as compared to 77% of those aged 30 years or less. Caregivers aged 51 or above consistently had the weakest digital skills as compared to the other caregivers. For example, only 19% said that they knew how to report harmful content on social media, much lower than the 51% average across all caregivers.

If faced with the continuous discourse that greater access to technology and the internet increases children's vulnerability to OCSEA – a view shared by 48 out of the 49 frontline service providers surveyed for *Disrupting Harm* – some caregivers might instinctively react by restricting their children's internet use in a bid to protect them. This was evident from the household survey data which showed that 34% of caregivers said they would restrict their child's internet access if their child was bothered by something online. Interestingly, there was no difference in the proportions of caregivers who said that they would respond in this way across age groups. This was the third most common response among caregivers, after talking to their child (66%) and seeking advice from a trusted individual (42%).

While a restrictive approach might reduce children's exposure to online risks in the short term, it also reduces their digital skills and familiarity with the online environment in the long term.⁵⁸ Furthermore, such a response might be viewed as a form of punishment by children. This might make them less likely to voice concerns about harm or other unwanted experiences they encounter online.

On the other hand, *supportive engagement* by adults has been associated with the development of positive skills for children in other countries.⁵⁹ Supportive engagement could include engaging in activities together, talking to children about their internet use, and educating them about the risks that exist online and how best to avoid them. Engaging with children in this way allows them to reap the benefits of the many useful activities and skills that the internet has to offer while providing parental guidance and support in case they encounter any kind of harm online.

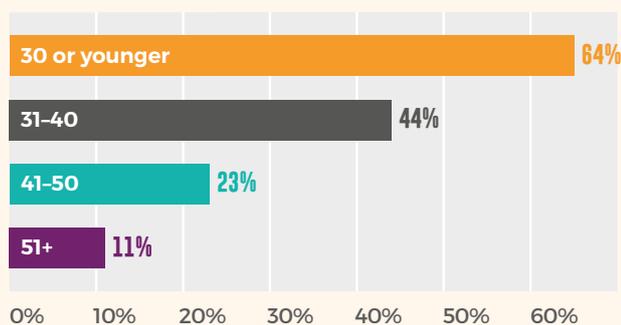
58. Livingstone, S., Kardefelt Winther, D., & Saeed, M. (2019). [Global Kids Online Comparative Report. Innocenti Research Report](#). Florence: UNICEF Office of Research - Innocenti.

59. Livingstone, S., Kardefelt Winther, D., & Saeed, M. (2019). [Global Kids Online Comparative Report. Innocenti Research Report](#). Florence: UNICEF Office of Research - Innocenti.

It is, therefore, encouraging that a majority of children surveyed in South Africa said that their caregivers supported their internet use. For example, 77% of the children surveyed said that their caregivers suggested ways for them to stay safe online and 65% said that their caregivers helped them when something bothers them online. Over half of children (57%) said that their caregivers took an active interest in their internet use by engaging in shared activities with them online.

According to *Disrupting Harm* data, on average, only 38% of caregivers in South Africa said that they knew more about the internet than their child, with stark differences between age groups (Figure 9).

Figure 9: Caregivers who said that they know more about the internet than their child, by age.



Base: Caregivers of internet-using children aged 9-17 in South Africa. n = 1,393.

Caregivers who are not internet users or who go online less frequently than their children might worry that they do not have enough knowledge to guide them. However, they can still talk to their children about what they do online and provide an open and supportive home environment where children feel comfortable disclosing negative experiences. It is particularly important to provide these caregivers with the knowledge and support they need to do this.

Asked about the channels through which they received guidance on how to support their children's internet use and keep them safe, the most popular sources of information among caregivers were television (42%) and radio (42%). This was followed by their child's school (35%). These were also the channels through which the caregivers said they would *prefer* to receive such guidance. These channels could, therefore, be leveraged to disseminate awareness messages or educational programmes about how caregivers can empower children to use the internet safely and effectively.



A large proportion of caregivers self-reported strong digital skills – 73% know how to remove someone from their contacts list on social media and 60% know how to change their privacy settings. However, only 36% know how to check if a website can be trusted.



1.2 CHILDREN'S ACTIVITIES ONLINE

The most popular activities that children engaged in online on a weekly basis or more frequently were social media, schoolwork, and searching for new information (see Figure 10). A large proportion of children also used instant messaging and watched videos clips at least once a week.

Older children – especially those aged 16–17 – and girls engaged in all these activities in somewhat higher proportions than younger children and boys. The clear exception was online gaming, with about one third of children in all age groups playing online games at least once a week. The survey data also indicates that children in rural areas engaged in all activities in lower proportions than children living in urban areas. In general, boys and girls participated in online activities in similar proportions.

However, it was more common for boys to play games online on a weekly basis or more as compared to girls (38% and 31%, respectively). On the other hand, more girls used instant messaging apps at least once a week as compared to boys (77% and 71%, respectively).

It is worth noting that these categories are not intended to be mutually exclusive, for example, a child could go online to watch a video as part of her/his school work. Nonetheless, Figure 9 provides a greater understanding of how 9–17-year-olds in South Africa use the internet and the activities they enjoy.

Figure 10: Activities children engaged in online at least once a week.

Online activities	Total
Used social media (e.g., Facebook, Instagram, Twitter)	84%
Used the internet for school work	80%
Searched for new information online	75%
Used instant messaging (e.g., Viber, WhatsApp, Telegram)	74%
Watched video clips	70%
Looked for information about school or study opportunities	60%
Talked to people from different places or backgrounds than me	41%
Followed celebrities or public figures on social media	44%
Talked to family or friends who live further away	43%
Looked for health information for myself or others	38%
Looked for news online	36%
Played online games	34%
Browsed for things to buy or checked to see what things cost	31%
Participated in a website where people share my interests or hobbies	30%
Created my own video or music	25%
Used the internet to seek emotional support	21%
Looked for information about events in my neighbourhood	19%
I watched a livestream	19%
Discussed political or social problems with other people	18%
Created a game on a computer or mobile phone	11%
Created a blog, story, or website online	10%
Tried to sell things	6%

Base: Internet-using children aged 9–17 in South Africa from the Disrupting Harm study. n = 1,639.

1.3 PERCEPTIONS AND EXPERIENCES OF RISKY ONLINE ACTIVITIES

Discussions of online risks for children often hinge upon adult-centric perceptions. To help better understand children’s views, they and their caregivers were asked about their engagement in, and perceptions of, various potentially risky online activities.

1.3.1 Contact with strangers online and in person

Perception of risk

A common concern around children’s online use is their exposure to ‘stranger danger’. Caregivers who participated in the household survey were asked to select the issues that they ‘worry about a lot’ relating to their child. As shown in Figure 11, this included various concerns, including their child’s health, and having enough money to care for their child, among others. Over two-thirds (63%) of caregivers said that they worried that a stranger would contact their child online, while 68% were concerned that their child would reveal personal information online.

In the household survey, 79% of caregivers rated “talking to someone on the internet who they have not met face-to-face before” as ‘very risky’ for children. However, a smaller proportion of children (53%) rated this activity as ‘very risky’ for people their age. It was more common for younger children to perceive this as a risky behaviour, with 61% of 9-11-year-olds considering this to be ‘very risky’ as compared to 44% of 16-17-year-olds.

Eighty percent of children said that sending their personal information, such as their contact details and full names, to someone they had never met face-to-face was ‘very risky’ for people their age. Differences in risk perception according to age, gender, and level of urbanity were quite small.

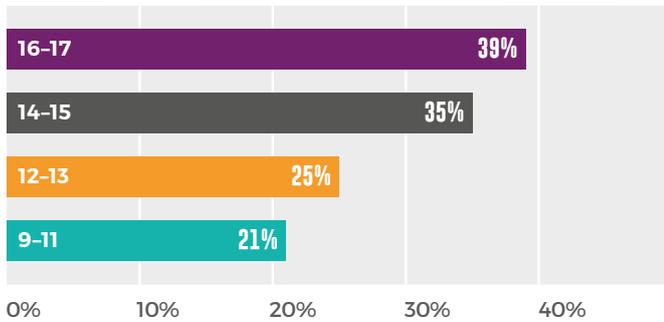
Figure 11. Caregivers’ top concerns regarding their children.

Online activities	Total
How my child is doing at school	74%
My child’s health	73%
Having enough money to care for my child	69%
My child being injured on the roads	68%
My child revealing personal information online	68%
My child becoming a victim of crime	64%
My child seeing inappropriate material on the internet	63%
A stranger contacting my child on the internet	63%
My child revealing personal information online	63%
Other children treating my child in a hurtful or nasty way	62%
My child’s sexual activities	55%
My child not playing a sport or not getting enough physical activity	49%
My child getting into trouble with the police	49%
My child taking drugs	45%
My child drinking too much alcohol	41%

Base: Caregivers of internet-using children aged 9-17 in South Africa. n = 1,393.

1.3 PERCEPTIONS AND EXPERIENCES OF RISKY ONLINE ACTIVITIES

Figure 12: Children who sent their personal information to people they had never met in person, by age.



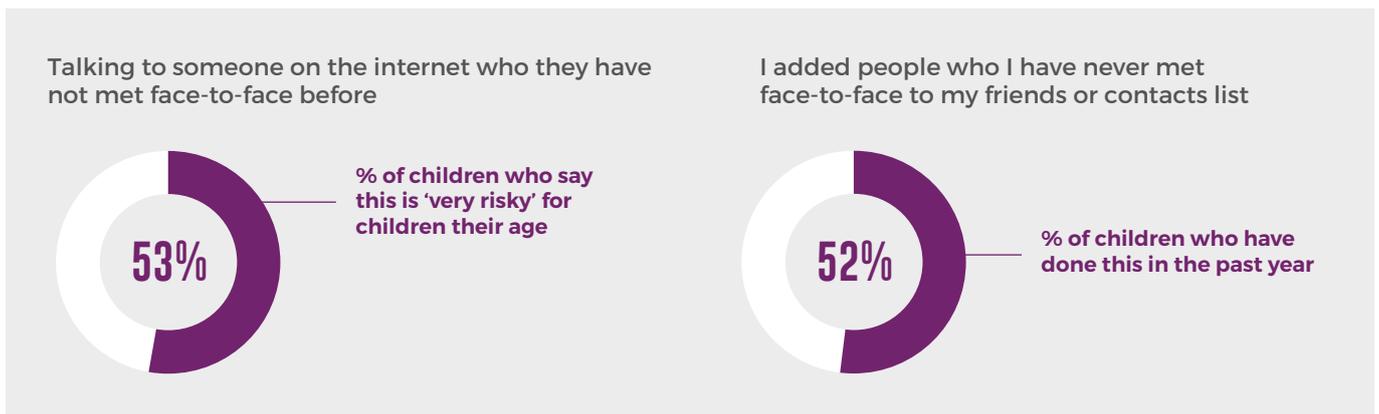
Base: Internet-using children aged 9-17 in South Africa from the *Disrupting Harm* study. n = 1,639.

While most of the internet-using children surveyed recognised that talking to strangers online carries some level of risk for people their age, 13% did not view this as a risk at all. Interactions with strangers online does not always lead to harmful outcomes and can in fact be a way for children to make new friends; nevertheless, awareness of how speaking to strangers online may lead to harmful outcomes needs to reach all children.

The results from the household survey reveal that, in reality, children do interact with ‘online strangers’ as part of their internet use. For example, 52% of children said they had added people they had never met face-to-face to their contacts list in the past year. This figure ranged from 31% for 12-13-year-olds to 65% for 16-17-year-olds. There were no notable gender differences.

In addition, in the past year, around one in three children (32%) sent their personal information – including their full name, address, or phone number – to someone they had never met in person. Once again, engaging in this behaviour was more common among the older age groups. As shown in Figure 12, approximately twice as many children aged 16-17 shared their personal details with online acquaintances, as compared to 9-11-year-olds. A higher proportion of children living in rural areas shared this kind of information online as compared to children in urban areas, i.e., 36% and 21%, respectively.

Figure 13: Level of risk attributed by children to speaking to someone unknown online.



Base: Internet-using children aged 9-17 in South Africa from the *Disrupting Harm* study. n = 1,639.

Figure 14 : Level of risk attributed by children to sharing personal information with unknown people online.



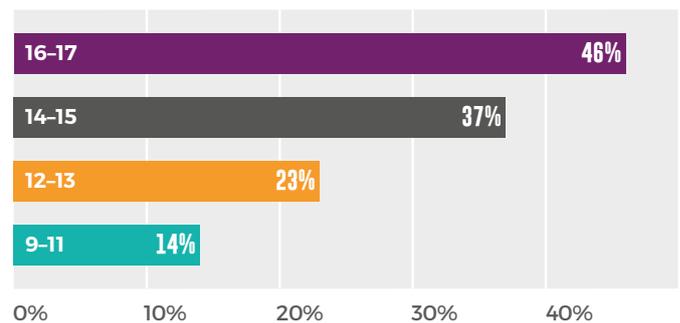
Base: Internet-using children aged 9-17 in South Africa from the *Disrupting Harm* study. n = 1,639.

Meeting a stranger in person following an online interaction

In the household survey, 76% of the children and 85% of their caregivers rated “going to meet someone face-to-face that they first got to know online” as ‘very risky’ for children. It was less common for children in the oldest age group to identify this as a high-risk behaviour, with 84% of 9-11-year-olds saying that meeting ‘online strangers’ was very risky and 70% of 16-17-year-olds saying the same. However, 6% of children viewed this behaviour as ‘not risky at all’.

Children were asked if they had ever gone to meet someone in person who they had first met online, and 33% said that they had done this in the past year. This behaviour was more common among older children, i.e., it was approximately three times as common for 16-17-year-olds to have met ‘online strangers’ in person as compared to 9-11-year-olds (see Figure 15). This is perhaps reflective of the fact that fewer children in the older age groups identified this activity as being risky for children their age. However, there are different types of encounters, such as connecting with new children in the community first online and then in person, or going to group events with caregivers.

Figure 15: Children who met someone in person who they had first got to know online, by age.



Base: Internet-using children aged 9-17 in South Africa from the *Disrupting Harm* study. n = 1,639.

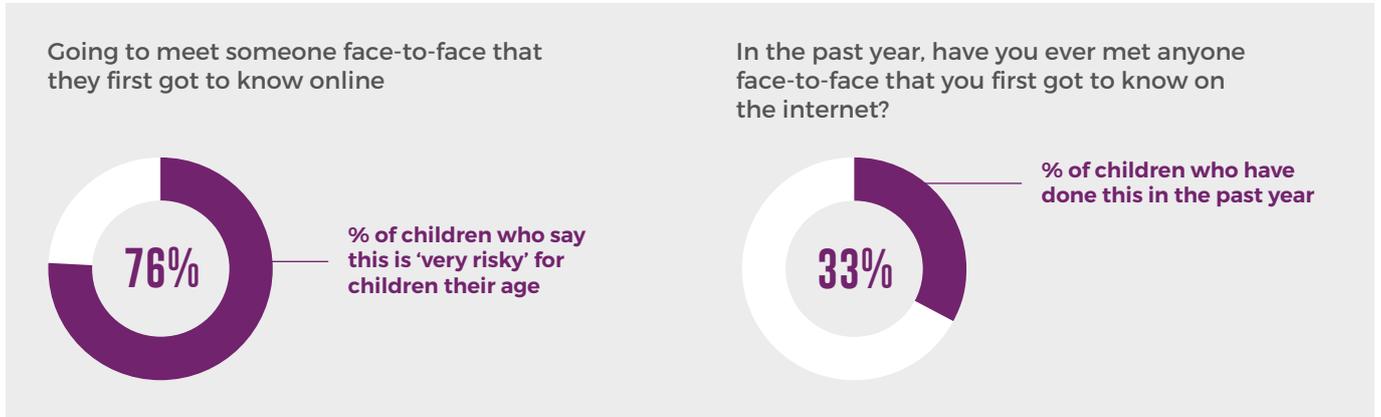
Among the children who had face-to-face encounters with people they first met online, the majority reported being happy or excited about the experience (see Figure 17). Research done across more than 30 countries around the world has produced similar findings.^{60,61} This indicates that the nature of these meetings can be quite variable and that these experiences, while potentially very risky, do not necessarily equate to harm in all cases. While many children are aware that engaging with unknown people carries a level of risk (as shown above), it is important for all children to be equipped with the knowledge and skills to identify risky activities, for example, meeting complete strangers alone. Children should also be taught how to engage responsibly and take safety precautions.

60. Livingstone, S., Kardefelt Winther, D., & Saeed, M. (2019). *Global Kids Online Comparative Report*. Innocenti Research Report. Florence: UNICEF Office of Research - Innocenti.

61. Smahel, D., Machackova, H., et al. (2020). *EU Kids Online 2020: Survey results from 19 countries*. Florence: UNICEF Office of Research - Innocenti.

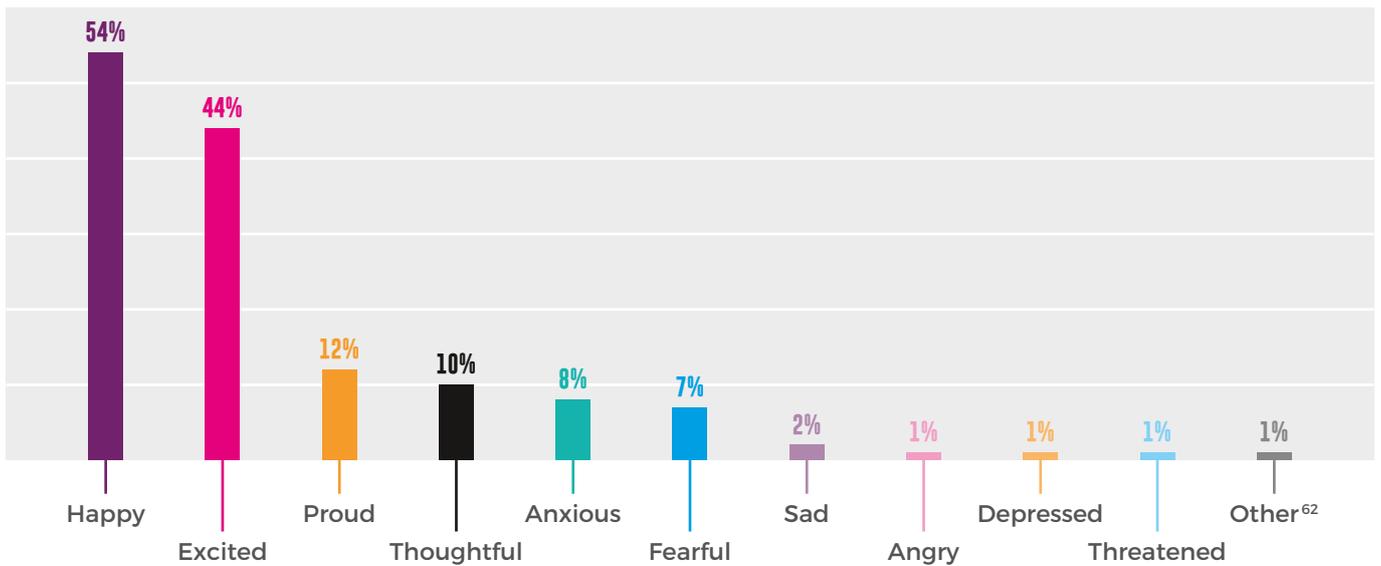
1.3 PERCEPTIONS AND EXPERIENCES OF RISKY ONLINE ACTIVITIES

Figure 16: Level of risk attributed by children to meeting someone in person that they first met online.



Base: Internet-using children aged 9-17 in South Africa from the *Disrupting Harm* study. n = 1,639.

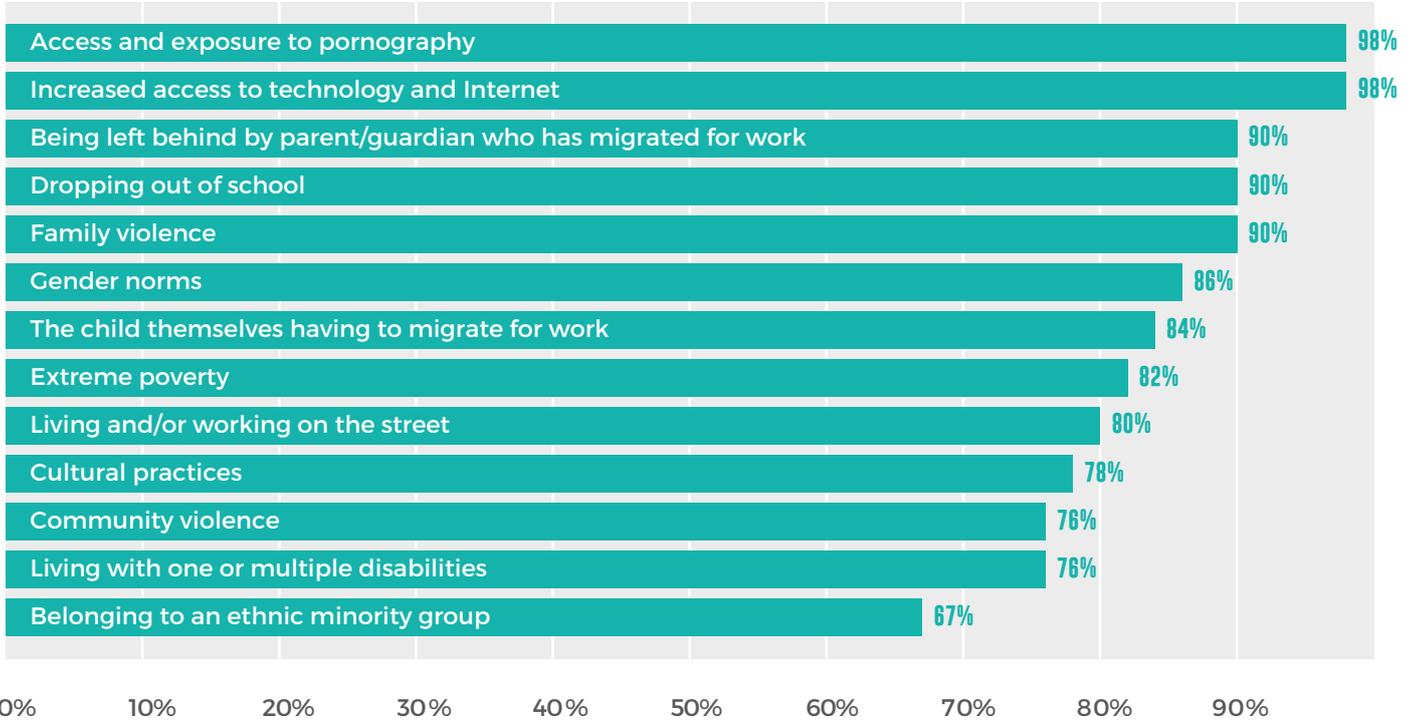
Figure 17: How children felt the last time they met someone in person they first met online.



Base: Children who, within the past year, have met someone face-to-face who they first got to know on the internet. n = 542.

62. Children who selected this option mentioned feeling surprised, nervous, normal/okay, overwhelmed, shocked, uncomfortable/scared, and amazed.

Figure 18: Frontline workers' perceptions of factors affecting children's vulnerability to OCSEA.



Base: Frontline social support workers. n = 49.

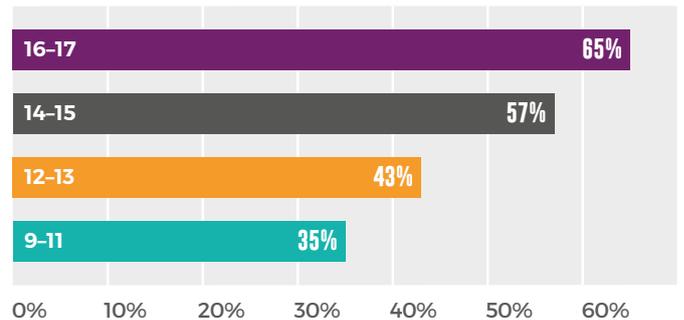
1.3.2. Seeing sexual images online

Concerns that children will see sexual content online are common among adults in South Africa. For example, 63% of the caregivers surveyed said that they worried a lot that their child would see inappropriate material on the internet (see Figure 11).

Caregivers were not the only adults concerned about children seeing sexual content. All but one of the 49 frontline workers surveyed for *Disrupting Harm* regarded 'access and exposure to pornography' as a key factor that increases children's vulnerability to OCSEA. This was rated higher than issues such as migration, experiences of family and community violence, or living on the street (see Figure 18).

In reality, a high proportion of internet-using children in South Africa do come across sexual content. In the previous year alone, 53% of 9-17-year-olds had seen sexual images, according to the household survey data. It was more common for 16-17-year-olds to have seen sexual images as compared to the younger age groups (see Figure 19). There were no observable differences based on the child's gender or their geographic location.

Figure 19: Children who had seen sexual images in the past year.



Base: Internet-using children aged 9-17 in South Africa from the *Disrupting Harm* study. n = 1,639.

Of those children who saw sexual images in the past year, 70% said that they saw them on a mobile phone, computer, tablet, or another online device. This was followed by 43% who saw sexual images on television or in a film and 19% in a magazine or book.

It is unclear from this indicator whether children came across these sexual images by accident, if they actively sought them out, or if they were exposed to them as part of a grooming process.

1.3 PERCEPTIONS AND EXPERIENCES OF RISKY ONLINE ACTIVITIES

The different ways in which children may see sexual content can have different implications. Accidental or intentional glimpses of sexual content are one thing; being exposed to sexual images as part of a grooming process intended to desensitise a child and pave the way for subsequent requests for self-generated images or sexual acts is another. In addition, while viewing violent or degrading sexual content can serve to normalise harmful gender norms and sexual behaviour, seeing pornography online appears to be an increasingly present experience for young people.⁶³ These phenomena need to be addressed.

1.3.3 Making and sharing self-generated sexual content

In the household survey, respondents were presented with a range of online activities and asked to rate how risky each activity was. The activity most often noted as 'very risky' for children by both the children and caregivers surveyed was sharing sexual images or videos with someone on the internet. Sending sexual content online was considered 'very risky' by as many as 84% of children and 89% of caregivers. Among the children surveyed, there were no notable differences according to gender, age, or level or urbanity as regards the level of risk associated with sharing sexual content with others online.

Furthermore, a majority of the survey's respondents (68% of children; 69% of caregivers) agreed or strongly agreed with the statement "a person shouldn't take these kinds of image(s) or video(s) of themselves or allow someone else to take one of them". In practice, a minority of internet-using children in South Africa said that they had engaged in creating sexual content. In the previous year, 8% of children had taken naked images or videos of themselves.

Five percent of children allowed *someone else* to take naked pictures or videos of them. There were no differences according to age, gender, or level of urbanity. It is unclear from this indicator whether these represent cases of abuse, for example, grooming or live-streaming of abuse, or if they were consensual activities between peers.

Eight percent of the children surveyed said that they had shared naked pictures or videos of themselves online in the past year. These figures could be under-reported due to common discomfort around discussing one's sexual activities (or potential criminal liability) even in an anonymous survey.

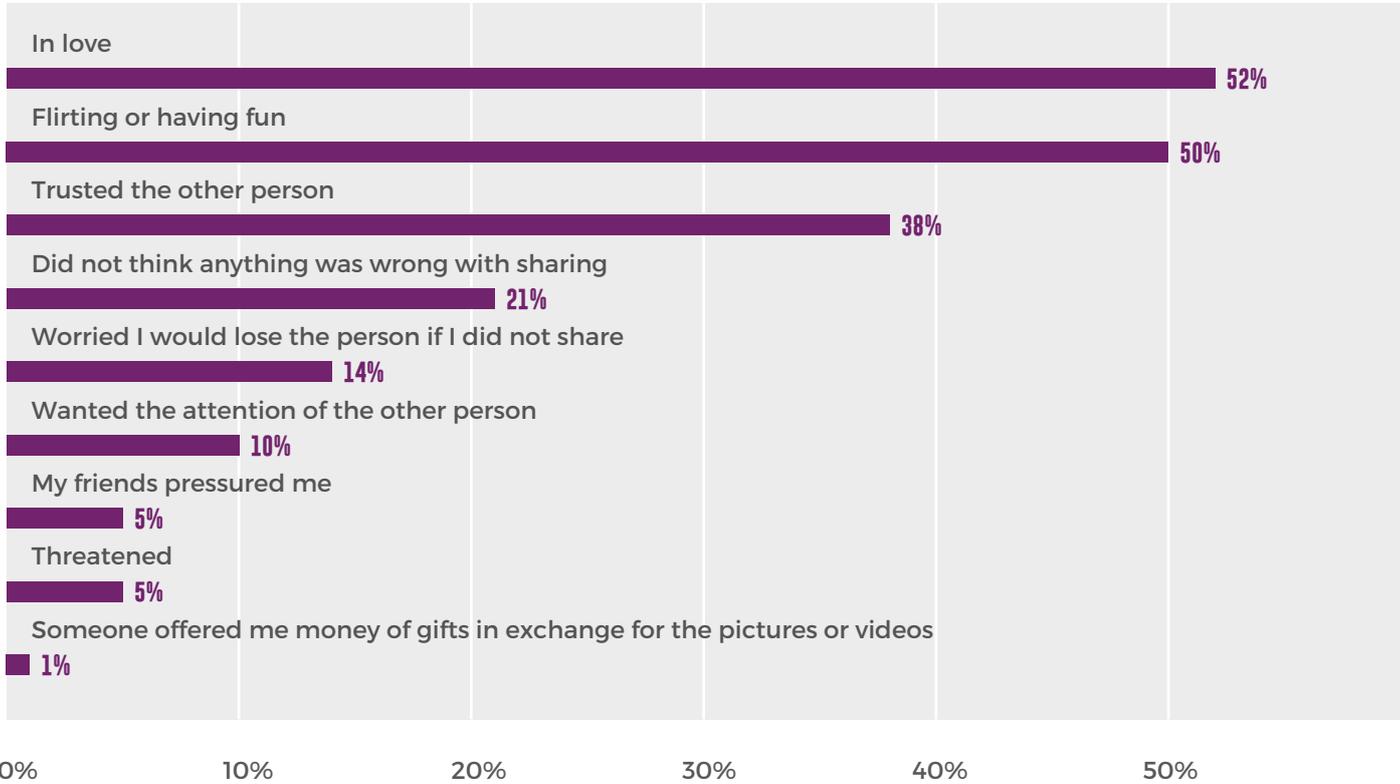
It may be worth noting that 66% of the children who said that they *took* naked images of themselves in the past year, also said they *shared* naked pictures or videos of themselves.

Children who said that they shared naked pictures or videos of themselves sometimes, often, or very often were then asked why they decided to share this content with someone else. More than half of the children in this small sub-sample of 84 children said that it was because they were in love. As shown in [Figure 20](#), other reasons included flirting and not seeing anything wrong with sharing this kind of content with others. Some children were explicitly coerced into sharing naked content of themselves, including 1% who were offered money or gifts, 5% who were threatened, and 5% who were pressured by friends.

Pressuring peers to share sexual images seems to be a present issue in children's use of digital technologies. Eight percent of children from the sample of 1,639 said that they had pressured someone their age to share sexual images or videos with them.

63. See for example: Crabbe, M. & Flood, M. (2021). [School based Education to Address Pornography's Influence in Young People: A Proposed practice framework](#). *American Journal of Sexuality Education* 16(1).

Figure 20: Reasons given by children for sharing naked images or videos of themselves.



Base: Children who said that they had 'sometimes', 'often', or 'very often' shared naked images or videos of themselves in the past year. n = 84.

As illustrated in the findings above, there are varying contexts and circumstances within which children can generate and share sexual content. In some cases, children can be asked for sexual images online within trusting – and sometimes genuine – relationships with others, or may even initiate sharing this kind of content themselves. However, in certain cases, they may share self-generated sexual content as a result of intentional deception or ill-advised engagements with others, including peers.

The *Disrupting Harm* Survivor Conversations research with 33 young people from selected countries illustrated some examples of the ways in which children may be targeted. One such example was a young woman in Namibia who explained how the offender first established trust before encouraging the exchange of sexual images: *“So, with the online relationship with that guy, we somehow kept on sending pictures on WhatsApp, and because of the sweet messages, I also came to a point where I felt safe to send the topless pictures and also the videos started.”* (RA5-NA-04-A)

1.3 PERCEPTIONS AND EXPERIENCES OF RISKY ONLINE ACTIVITIES

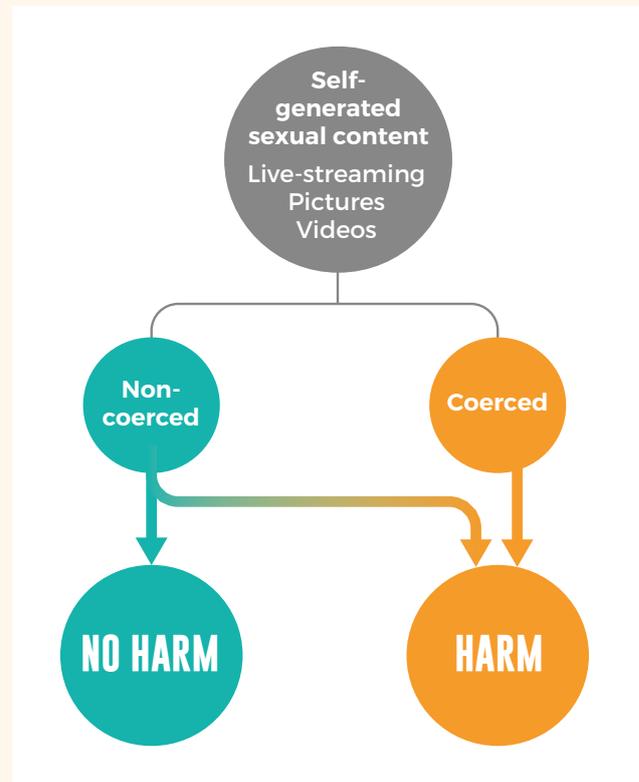
The Rise in Self-Generated Sexual Content Involving Children

The increasing use of technology is leading to shifts in notions of privacy and sexuality among children in some parts of the world, particularly adolescents.⁶⁴ Forms of behaviour that are increasingly normal to young people can be bewildering for adults who grew up in a different time. For instance, video live-streaming is common, whether among small private groups of friends or anonymous public audiences. While much of the live-streaming is harmless, there is an increase in the producing and sharing of self-generated sexual content, which can bring significant risks.⁶⁵

The sharing of self-generated sexual content by children is complex and includes a range of different experiences, risks, and harms. As the *Disrupting Harm* data show, some self-generated content is shared with others because children are in love or having fun. Globally, such exchanges are increasingly becoming part of young people's sexual experiences.⁶⁶ However, the data also shows that the creation and sharing of self-generated sexual content can be coerced through threats or peer pressure (see chapter 2.2).

While coercion is clearly a crime and leads to harm, there can be negative consequences for children who share any sexual content, including cases in which the sharing is *not* coerced (see Figure 21). Material shared voluntarily may not cause harm at first, but there remains a risk that the content is later shared beyond the control of the person who created it. Once it exists, such content can be obtained deceptively or through coercion and can be perpetually circulated by offenders.^{67,68}

Figure 21: Mapping the consequences of sharing self-generated sexual material involving young people



As discussed above, in South Africa, a substantial proportion of 9–17-year-olds seem to be aware that producing and sharing sexual content can carry risks for children. In the previous year, 8% of children had shared sexual images or videos of themselves online. While this is a minority, the possible risks that come with sharing sexual content online should be central to all discussions with children about their internet use – at home, at school, and in the community.

64. Livingstone, S. & Mason, J. (2015). [Sexual Rights and Sexual Risks among Youth Online: A review of existing knowledge regarding children and young people's developing sexuality in relation to new media environments](#). London: European NGO Alliance for Child Safety Online.

65. Thorn & Benson Strategy Group. (2020). [Self-Generated Child Sexual Abuse Material: Attitudes and Experiences](#).

66. Internet Watch Foundation (2021). [The Annual Report 2020](#).

67. EUROPOL. (2019, 9 October). [Internet Organised Crime Threat Assessment 2019](#).

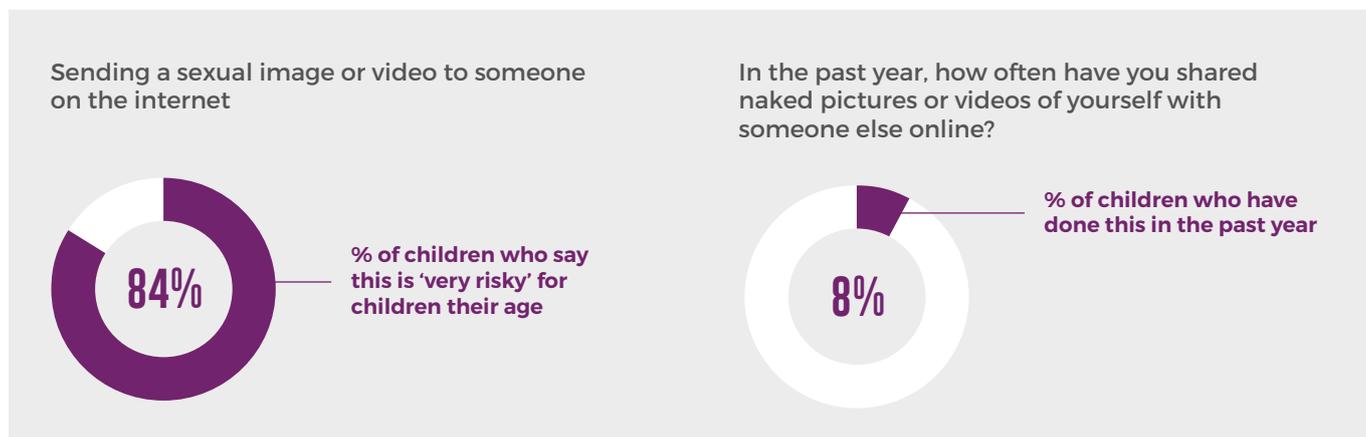
68. Bracket Foundation. (2019). [Artificial Intelligence: Combating Online Sexual Abuse of Children](#).

In one government official's view, the anonymity provided by the internet makes it easier for offenders to impersonate young children and adolescents in a bid to coerce or trick children into sharing sexual content: *"Where children are tricked into sending pictures to a peer... it is the 'I'll show you mine if you show me yours' [phenomena] – but it is online and it is not a peer."* (RA1-SA-02-A)

It can be difficult for children to seek help if sexual images or videos of them are shared with others without permission, partly owing to the fear of victim blaming. In South Africa, the household survey showed that a large majority of children (64%) and caregivers (63%) agreed or strongly agreed that 'if someone allows these kinds of image(s) or video(s)⁶⁹ to be taken, they should not be surprised if it is shared further'. When self-generated content is shared without permission, reluctance or an inability to seek help may lead to further harm for children.

Currently, there is no explicit exemption from criminal liability for the sharing of self-generated materials in South Africa, which means children who do so can be criminalised. However, there are non-criminal prosecution options available to the court. A member of the South African Police Service said that *"child offenders are mostly exploring their sexuality and [such cases] don't go to court. They are referred to school psychologists or to the Department of Social Development."* (RA1-SA-01-A) While some minor offenders may fit into this category, others may be intentionally engaging in OCSEA that targets peers and/or younger children.

Figure 22: Level of risk attributed by children to sharing sexual content online.



Base: Internet-using children aged 9-17-years-old in South Africa from the *Disrupting Harm* study, n = 1,639.

69. This survey question referred specifically to 'images or videos of naked people taken by the person themselves or by someone else'.

1.4 KNOWLEDGE AND SKILLS FOR ONLINE SAFETY

Children and caregivers participating in the household survey were asked to self-evaluate their digital skills. Respondents who said that the following statements (see Figure 23) were ‘mostly true’ or ‘very true’ for them were considered to have a high level of digital skills.

This self-evaluation revealed that, for the most part, children and caregivers in South Africa displayed similar levels of digital skills. The exceptions were knowing ‘how to judge which images of themselves to share online’ and ‘how to create music or videos’, with fewer caregivers reporting a high level of confidence in those skills as compared to children (see Figure 23). Among the children surveyed, there were few differences in the level of digital skills across gender and urbanity groups. Children aged 16–17 reported strong digital skills more often than any other age group.

A little over one third of caregivers said that they knew more about the internet than their child who was also completing the survey (38%). In comparison, over half of the children said that they knew more about the internet than their caregivers. Older caregivers (particularly those aged 51 and above) were consistently less likely to report a high level of digital skills as compared to caregivers aged 30 or younger. One frontline worker interviewed for *Disrupting Harm* was of the view that low levels of familiarity with digital technology among caregivers can also affect their children: “Children are more vulnerable online because parents rarely know the technology children are using.” (RA3-SA-45-A)

Figure 23. Children and caregivers’ digital skills.

I know...	Children	Caregivers
When to remove people from my contacts list	80%	73%
Which images of me and my friends to share online	79%	70%
How to change my privacy settings (e.g., on a social networking site)	64%	60%
How to choose the best keywords for online searches	56%	55%
More about the internet than my caregiver/child	56%	38%
How to report negative content relating to me or a group to which I belong	58%	51%
How to create videos or music using digital technology	50%	40%
How to check whether a website can be trusted	36%	36%

Base: Internet-using children aged 9–17 in South Africa from the Disrupting Harm study. n = 1,639.
 Caregivers of internet-using children aged 9–17 in South Africa. n = 1,393.

2. ONLINE CHILD SEXUAL EXPLOITATION AND ABUSE IN SOUTH AFRICA

Following on from children's perceptions of, and participation in, various risky online practices, this chapter turns to the threat of online child sexual exploitation and abuse in South Africa. The chapter draws on a variety of sources - including law enforcement data, mandated reports from U.S.-based technology companies to the National Center for Missing and Exploited Children (NCMEC) related to South Africa, surveys with frontline workers and conversations with children themselves, and the household survey - in order to create a well-rounded presentation of the nature of these crimes against children.

2. ONLINE CHILD SEXUAL EXPLOITATION AND ABUSE IN SOUTH AFRICA

This chapter presents national law enforcement data related to OCSEA (chapter 2.1), followed by estimates of the occurrence of certain instances of OCSEA based on children’s self-reported experiences (chapter 2.2 and 2.3). The purpose of these estimates is not to provide a conclusive picture of the prevalence of OCSEA. There are several reasons for this. Firstly, the existing administrative data accessed, such as that kept by law enforcement authorities, rarely delineates or classifies OCSEA elements. Secondly, with respect to the household survey, the tool developed only measured limited indicators of OCSEA, and therefore is not a comprehensive measure. In addition, one would expect a degree of under-reporting due to privacy concerns, hesitation to discuss sex and sexuality, and fear of legal self-incrimination as some practices are criminalised. Furthermore, in households in which sexual abuse occurs, it is less likely that researchers would be given permission to talk to children. Finally, many estimates are based on the analysis of sub-samples of the household survey data, which are small because OCSEA is still a rarely reported phenomenon. These smaller sub-samples result in a larger margin of error.

While the *Disrupting Harm* team is confident in the data and the quality of the sample obtained, the challenges of researching these specific and sensitive phenomena, particularly with children, lead to the loss of a certain amount of precision in the final estimate.

For these reasons, it is suggested that the reader interprets the findings in this chapter as a *good approximation* of the instances of OCSEA in South Africa and the extent to which internet-using 9-17-year-old children in South Africa are subjected to OCSEA in the past year.

2.1 LAW ENFORCEMENT DATA

The analysis in this chapter draws on qualitative and quantitative data from law enforcement authorities and several partner organisations with a view to understanding the relevant offences, offender and victim behaviours, crime enablers, and vulnerabilities.

2.1.1 Recorded OCSEA offences

The data supplied by the Interpol National Central Bureau in response to a request for CSEA case volumes is presented in Figure 24.

Figure 24: Law enforcement recorded cases related to offences against children in South Africa.

Number of cases recorded by law enforcement related to CSEA	2017	2018	2019
Attempted murder	1,087	1,241	939
Assault: Grievous bodily harm	8,342	8,772	8,715
Assault: Common	11,096	11,672	12,064
Sexual offences	21,900	23,899	22,713
Total	42,425	45,584	44,431

Base: Data provided by INTERPOL National Central Bureau Pretoria, 2017-2019.

For most case types mentioned above, it appears that the highest numbers were reported in 2018.

South African law enforcement partners indicated that data on cases other than 'sexual offences' were also supplied, because some included 'lesser' CSEA offences. For example, a case of attempted murder could have also included rape, indecent assault, or even lesser degrees of the same for charging purposes. South African law enforcement was not able to determine to what extent case volumes for attempted murder, grievous bodily harm, and common assault also included these 'lesser' CSEA offences. South African law enforcement also noted that volumes of sexual offences reflect cases in which CSEA was the most serious alleged offence.

Case data specific to CSEA that had an online component was also supplied by the National Central Bureau Pretoria (Figure 25).

Figure 25: OCSEA cases recorded by law enforcement in South Africa.

Number of OCSEA cases recorded by law enforcement	2017	2018	2019
Exposing or displaying or causing the exposure/display of child pornography to a person 18 years or older	73	12	12
Expose/display/cause the exposure/display of child pornography/pornography/visual presentation/description of sexual material which is disturbing/harmful/age-inappropriate to a child	58	58	61
Use a child to create/make/produce child pornography or assist in doing so	6	8	12
Expose/display/cause exposure/display of child pornography/pornography to a mentally disabled individual ⁷⁰	5	2	0
Use a mentally disabled individual to create/make/produce child pornography or assist in doing so	4	5	0
Possess/create/produce/import/procure/obtain/ access/export/broadcast/distribute a film/publication containing/advocating/promoting child pornography/sexual exploitation of children	1	4	4
Total	147	89	89

Base: Data provided by INTERPOL National Central Bureau Pretoria, 2017-2019.

70. This offence (and the offence that follows) do not refer to child victims, but rather adults; however, they have been included here as there may involve harm or victimisation of a child.

2.1 LAW ENFORCEMENT DATA

As shown above, it is possible that OCSEA offences may be part of the concealed 'lesser' charges attached to "attempted murder", "grievous bodily harm", and "common assault" cases as shown in Figure 24. It is nevertheless possible to determine from the data supplied that OCSEA cases comprised 0.7%, 0.4%, and 0.4% of all cases of Sexual Offences against children in 2017, 2018, and 2019, respectively.

Investigation outcomes

Figure 26 presents data supplied by the National Central Bureau Pretoria on investigative and judicial outcomes of CSEA and OCSEA cases in South Africa.

Figure 26: Outcomes of CSEA and OCSEA cases.

Outcomes	2017	2018	2019
Investigations opened			
CSEA	43,456	46,730	45,331
OCSEA	147	89	89
Persons arrested			
CSEA	38,298	40,807	38,047
OCSEA	51	60	58
Convictions			
CSEA	6,233	13,082	Not available
OCSEA	24	42	28

Base: Data provided by INTERPOL National Central Bureau Pretoria, 2017-2019

The number of OCSEA investigations opened by law enforcement accounted for only 0.3% of all CSEA investigations opened in 2017, and 0.2% in 2018 and 2019. The OCSEA investigations led to 51 arrests in 2017 (35% of cases), 60 arrests in 2018 (67% of cases), and 58 in 2019 (65% of all cases).

It is also noteworthy that the number of CSEA investigations opened is slightly more than the number of CSEA cases listed in Figure 24 (*Law enforcement recorded cases related to offences against children in South Africa*), likely due to law enforcement electing not to make any charges after the initial investigation was opened.

On the other hand, South African law enforcement was keen to indicate that officers assigned to investigate OCSEA cases are required to have a certain amount of previous experience in child sexual exploitation and abuse, indicating that officers working on OCSEA are very experienced and capable of detecting and documenting multiple charges in OCSEA cases, leading to a more consistent rate between investigations opened and cases proceeding with charges.

Victims and suspects

Data supplied by INTERPOL National Central Bureau Pretoria shows the numbers of CSEA and OCSEA victims and suspects recorded (Figure 27). It also allows for a comparative analysis of the numbers of suspects and victims per case, and victims per suspect.

Given the size of the suspect population in the numbers above, it is likely that they refer to all crime types listed as CSEA as opposed to sexual offences alone.

While in 2017, there were 147 cases of OCSEA registered in South Africa, with 148 OCSEA victims being identified, in 2018 and 2019, there were on average more than two victims in each case of OCSEA registered (see Figure 27). Data from law enforcement on the demographics of victims of recorded OCSEA offences was not made available.

Although law enforcement did not provide specific tallies for OCSEA suspects, the same information can be gleaned from the investigative outcomes, which shows that 51 people suspected of OCSEA crimes were arrested in 2017, 60 in 2018, and 58 in 2019 (see Figure 26). The number of suspects was lower than the number of cases in all the years analysed, meaning that each suspect of OCSEA victimised three children on average (or was charged with three victimisations on average) in 2017 and 2018, and nearly four victimisations/charges in 2019. Generally, a larger average number of charges per case and per suspect in OCSEA cases than in the wider category of CSEA was observed. This might be due to the aforementioned limitations related to the data regarding potential OCSEA cases being counted as CSEA, and the fact that police officers try to add as many charges as possible when documenting OCSEA crimes.

Figure 27: Comparative analysis of CSEA cases by suspects and victims.

	2017	2018	2019
CSEA			
Cases	42,425	45,584	44,431
Suspects	38,298	40,807	38,047
Average suspects per case	0.90	0.90	0.86
Victims	43,456	46,730	45,331
Average victims per case ⁷¹	0.98	0.98	0.98
Average victims per suspect	1.13	1.15	1.19

	2017	2018	2019
OCSEA			
Cases	147	89	89
Suspects	51	60	58
Average suspects per case	0.35	0.67	0.65
Victims	148	198	214
Average victims per case ⁷²	1.01	2.22	2.40
Average victims per suspect	2.90	3.30	3.69

Base: Data provided by INTERPOL National Central Bureau Pretoria, 2017-2019.

Figure 28: CSEA suspects in South Africa.

	2017	2018	2019
Suspects related to all CSEA cases	38,298	40,807	38,047
Suspects related to OCSEA cases	No data available		

Base: Data provided by INTERPOL National Central Bureau Pretoria, 2017-2019.

2.1.3 International OCSEA detections and referrals

On behalf of South African law enforcement, data was requested from NCMEC about reports of suspected OCSEA (CyberTips)⁷³ in South Africa for the years 2017-2019. Most CyberTips include geographic indicators related to the upload location of CSAM.⁷⁴

While the number of reports for South Africa increased by 51% between 2017 and 2019, there was a reduction of 26% between 2018 and 2019. This reduction was more marked than the reduction in global NCMEC CyberTips as a whole (8%).

It is worth noting that there is an evident mismatch between the OCSEA case numbers supplied by the Interpol National Central Bureau and the data supplied by NCMEC concerning reports of suspected child exploitation in South Africa. Interviews conducted with law enforcement indicate that, while some reports from NCMEC are indeed being investigated by South African Police Service, access is indirect via the United States law enforcement (Homeland Security Investigations) liaison office, and national capacity to respond to the CyberTips is limited.

71. South African law enforcement stated that the number of average victims per case should be considered in the context of one offender per case, but with multiple charges. In other words, the number of charges per case represents the number of victimisations per case.

72. South African law enforcement stated that the number of average victims per case should be considered in the context of one offender per case, but with multiple charges. In other words, the number of charges per case represents the number of victimisations per case.

73. United States federal law requires that U.S.-based electronic service providers report instances of suspected child exploitation to the CyberTipline of NCMEC. For providers not based in the United States, this reporting is voluntary. Not all platforms report suspected child exploitation to NCMEC. There is, therefore, an information gap concerning the prevalence of OCSEA on a number of platforms popular in *Disrupting Harm* focus countries.

74. It is important to note that country-specific numbers may be impacted by the use of proxies and anonymisers. In addition, due to variations in the law, each country must apply its own national laws when assessing the illegality of the reported content.

2.1 LAW ENFORCEMENT DATA

Figure 29: CyberTIPS concerning suspected child sexual exploitation in South Africa.

	2017	2018	2019	% Change 2017 to 2019	% Change 2018 to 2019
South Africa	25,181	51,647	38,031	51%	-26%
Global Total	10,214,753	18,462,424	16,987,361	66%	-8%
South Africa % of Global Total	0.25%	0.28%	0.22%		

Base: CyberTip data provided by NCMEC.

Types of OCSEA offences

Analysis of the types of incidents reflected in the CyberTIPS reveals that the possession, manufacture, and distribution of CSAM (referred to in United States legislation as “child pornography”) accounts for almost all of South Africa’s reports in the reporting period.

Reports classified as relating to CSAM increased in 2018 and declined in 2019 in line with the trend for South Africa’s total reports. The overall increase between 2017 and 2019 was 51%.

In relation to the 34 reports relating to online enticement in 2017, it may be of note that NCMEC’s additional internal classification (Incident Type 2) tagged 21 reports as relating specifically to “Online Enticement – PreTravel”, suggesting that at least some of the enticement reports counted above concerned online solicitation of children in preparation for the commission of offline sexual exploitation and abuse by travelling offenders.

Figure 30: CyberTIPS concerning suspected child sexual exploitation in South Africa, by incident type.

Incident Type	2017	2018	2019
CSAM, including possession, manufacture, and distribution (NCMEC classification: child pornography) ^{75,76}	25,142	51,643	38,020
Online enticement of children for sexual acts	34	1	7
Child sexual molestation	1	1	2
Travelling child sex offences (NCMEC classification: child sex tourism) ⁷⁷	3		1
Misleading words or digital images on the internet		2	1
Unsolicited obscene material sent to a child	1		
South Africa Total	25,181	51,647	38,031

Base: CyberTip data provided by NCMEC.

75. The terminology used in this column reflects the classification by NCMEC in line with U.S. legislation. *Disrupting Harm* advocates the use of the term “child sexual abuse material”, in line with the Luxembourg Guidelines.

76. CyberTIPS under this category may reference more than one file of CSAM. For example, some reporting electronic service providers include more files per report, as opposed to one image per report and multiple reports per suspect.

77. The terminology used in this column reflects the classification by NCMEC in line with U.S. legislation. *Disrupting Harm* advocates the use of the term Travelling Child Sex Offences, in line with the Luxembourg Guidelines.

Nearly 100% of NCMEC CyberTipline reports for South Africa in the period from 2017 to 2019 had electronic service providers as their source. A total of 53 electronic service providers submitted at least one report of suspected child exploitation for South Africa in the reporting period. This would indicate diversity in the range of platforms used by the general population, which is in line with the high level of internet connectivity in the country, and a wide range of platforms exploited by OCSEA offenders. Data concerning the 20 platforms that submitted the largest number of reports in 2019 are depicted in Figure 31.

CyberTips for South Africa are overwhelmingly made by Facebook, which was responsible for 93% of all CyberTips in 2019. This is in line with the proportion of CyberTips made by Facebook globally. An increase of 58% of Facebook CyberTips to South Africa between 2017 and 2019, and a reduction of 29% between 2018 and 2019, is broadly similar to the trend observed in South Africa's total CyberTips. Although the volumes are considerably smaller, a number of other providers depart from this trend, with persistent increases over the period. These include Google, with a year-on-year increase of 36% in 2019, and the image-sharing site Imgur, with an increase of 473% over the reporting period.

Figure 31: CyberTips concerning suspected child sexual exploitation in South Africa, top 20 reporting electronic service providers.

Reporting Electronic Service Provider	2017	2018	2019	% of 2019 Total
Facebook	22,320	49,401	35,264	93%
Google	624	683	930	2%
Instagram Inc.	602	679	736	2%
Imgur LLC	58	37	212	1%
WhatsApp Inc	20	125	185	
Twitter Inc. / Vine.co	145	236	123	
Microsoft – Online Operations	30	70	96	
Pinterest Inc.	102	110	70	
Snapchat	6	14	69	
Discord Inc.			59	
Stelivo LLC	1		57	
Tumblr	41	130	42	
Yahoo! Inc	18	4	35	
Omegle.com LLC	2	5	32	
Dropbox Inc.	26	15	14	
MeWe			14	
Multi Media LLC/Zmedianow LLC/Chaturbate		3	8	
Adobe Systems Incorporated	4	2	7	
motherless	10	24	6	
sendvid	1		6	

Base: CyberTip data provided by NCMEC, sorted by 2019 counts, null results removed.

2.1 LAW ENFORCEMENT DATA

Figure 32: CyberTips concerning suspected child sexual exploitation in South Africa, number of unique upload IP addresses by year.⁷⁸

	2017	2018	2019	% Change 2017 to 2019	% Change 2018 to 2019
South Africa unique upload IP addresses	18,570	31,589	20,632	11%	-35%
Total South Africa reports	25,181	51,647	38,031	51%	-26%
Reports per Unique IP address	1.36	1.63	1.84	36%	13%

Base: CyberTip data provided by NCMEC.

Emergence in the reported data of platforms such as Discord (59 reports in 2019), which is often used to facilitate gaming chat, may reflect South Africa's comparatively early adoption of tools and apps that are popular in the Global North and require greater bandwidth. The consistent appearance in the CyberTips for South Africa of the online platform Motherless.com (a self-avowed "moral free file host") and Stelivo (another private server host) may indicate the presence of OCSEA offenders with more than an entry-level interest, as these imply a level of technical sophistication and a concern for security; the 582 reports in 2017 from Tiversa (a dark web peer-to-peer monitoring firm) also attest to this. In addition, data for the reporting period gives an insight into the changing electronic service provider landscape, for example, the chatting platform Chatstep submitted 459 reports in 2017, but zero reports in 2018 and 2019 (it closed in 2019).

Number of IP addresses reported

An Internet Protocol (IP) address is assigned to each individual device on a specific network at a specific time. NCMEC data for South Africa also permits the high-level analysis of unique IP addresses used to engage in suspected child exploitation.

An IP address is assigned to each individual device on a specific network at a specific time. As seen in Figure 32, the number of unique South African IPs identified in regard to CyberTips did not increase in line with the total number of reports of suspected child exploitation; however, the total number of reports increased by 51% between 2017 and 2019, and the number of unique upload IP addresses increased by just 11% in the same period.

To some extent, this may be explained by the fact that offenders may upload multiple items of CSAM in a detected session, thereby generating multiple reports with the same upload IP address. Since this number is an average, it is reasonable to assume that some suspect IPs will have been linked to more reports, and some less.

Furthermore, it would not be impossible for a report to contain more than one upload IP address. This would perhaps reflect more than one instance of suspected child sexual exploitation, as would be the case for manual reports that collate multiple events for a single suspect. They may also reflect a dynamic assignment of IP addresses by the suspect's telecommunications provider. For instance, if a suspect's internet connection is refreshed while uploading CSAM to a particular platform, it is possible that more than one IP address is assigned to that device by telecommunications provider and, therefore, captured by the platform reporting to NCMEC. The ongoing transition from version 4 of the Internet Protocol address system, which in recent years has shared 32-bit IP addresses among a large number of devices by means of carrier grade Network Address Translation, to version 6's assignment of unique 128-bit addresses for devices may also have a bearing here.⁷⁹ An assessment of the content of NCMEC reports destined for South Africa would be required to test these hypotheses.

78. The same IP address may be counted in more than one year, and a report can contain more than one unique IP address. Technical measures by Internet service providers including the dynamic assignment of IP addresses and the sharing of IP version 4 addresses across a large number of devices can also have an impact on the number of unique IP addresses logged.

79. At the time of finalization of this report (August 2022), the regional internet registry for Africa, [AFRINIC](#), identifies South Africa as the country with the largest number of IPv6 resources in Africa (401 prefix allocations).

CSAM distribution on peer-to-peer networks

Although CSAM is usually shared via social media, traditional peer-to-peer sharing persists. The Child Rescue Coalition⁸⁰ monitors CSAM on peer-to-peer file sharing networks. Data supplied for the time period from 9 June 2019 to 8 June 2020 reveals that 2,413 South African IP addresses were identified by the system as engaged in peer-to-peer distribution or downloading (Figure 33). Since the system used by the Child Rescue Coalition does not monitor all file sharing networks, this should not be taken to be representative of the sum total of CSAM offending on such platforms. The high number of Globally Unique Identifiers⁸¹ compared to IP addresses in South Africa may indicate that offenders delete the software frequently and reinstall it when they want to share material. Representation of the data for South Africa alongside other Disrupting Harm focus countries allows for comparison.

Figure 33: CSAM distribution and downloading from Disrupting Harm focus countries, observed on peer-to-peer file-sharing networks by the Child Rescue Coalition.

	IP Addresses	Globally Unique Identifiers ⁸²
Ethiopia	7	4
Kenya	76	24
Mozambique	6	10
Namibia	94	117
South Africa	2,413	842
Tanzania	47	5
Uganda	4	4

Data supplied by the Child Rescue Coalition for the period of 9 June 2019 to 8 June 2020.

As seen in Figure 33, South Africa has the highest numbers of both detected IP addresses and Globally Unique Identifiers representing potential peer-to-peer activity in Africa. This does not necessarily indicate higher levels of offending than other countries, but is perhaps rather the result of South Africa's relatively high internet connectivity, as many peer-to-peer networks have become more popular and been used more frequently in recent years.

Web searches for CSAM

Research was conducted on Google Trends,⁸³ with a view to identifying the levels of search interest in CSAM in South Africa. A sample of 20 specialised terms⁸⁴ selected by the INTERPOL Crimes Against Children team served as keywords and phrases for measuring search interest for CSAM. Queries for the period 1 January 2017 to 31 December 2019 on searches in South Africa returned a result of 'not enough data' for 14 search terms, and a result of 'some interest' for six search terms.

Returns of 'not enough data' equate to a zero relative popularity score, indicating a comparatively low level of interest in that term (as opposed to an absolute zero search volume) within the geographical and time limits set.⁸⁵ When compared to global searches for the same terms and those from other countries in the same time frame, this suggests that these specialist CSAM search terms may be used less in South Africa than in certain other countries. While it may also be argued that more sophisticated CSAM searchers are less likely to search on the open web, the relative popularity in other countries of some of the terms in the INTERPOL sample would suggest that open web searches are still used for CSAM discovery.

80. The Child Rescue Coalition is a non-profit organisation that rescues children from sexual abuse by building technology for law enforcement, free of charge, to track, arrest, and prosecute child predators.

81. A Globally Unique Identifier is a 128-bit number created by the Windows operating system or another Windows application to uniquely identify specific components, hardware, software, files, user accounts, database entries, and other items.

82. A Globally Unique Identifier is a 128-bit number created by the Windows operating system or another Windows application to uniquely identify specific components, hardware, software, files, user accounts, database entries, and other items.

83. [Google Trends](#) is a publicly available tool that returns results on the popularity of search terms and strings relative to others within set parameters. Rather than displaying total search volumes, the tool calculates a score (in a range of 1 to 100) based on a search term or string's proportion to all searches on all terms/strings. Data points are divided by total searches in the geographical and time parameters set to obtain a relative popularity. While Google Trends only draws on a sample of Google searches, the dataset is deemed to be representative by the company given the billions of searches processed per day. For more information on data and scoring, see [FAQ about Google Trends data](#).

84. English language terms were selected because local dialects rendered sporadic results. These universal specialist terms were identified by the INTERPOL Crimes Against Children team. In order to maintain uniformity in all DH reports, vernacular terms were not used unless other terms were provided by the law enforcement. South African law enforcement did not provide any such terms.

85. Danti Ramadanti. (2020). ["Telling stories with Google Trends using Pytrends in Python"](#), *Towards Data Science*.

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For those terms with a result of ‘some interest’, a detailed analysis of the results of each specific term was not possible given the search term sensitivities. While some results cannot be disaggregated from related or possibly legitimate searches (for example, one search term is a proper name in South Africa, and another term shares an acronym with both a business and a non-governmental organisation), the results suggest that there is some knowledge or interest of specialist CSAM search terms among the offending population in South Africa. The Google Trends results indicated that the regions of Eastern Cape, Gauteng, Western cape, and KwaZulu-Natal exhibited a higher level of interest for some of these specialist CSAM search terms.

Searches were also made on less specialist terms. Possible gateway terms ‘jailbait’ and ‘barely legal’ returned results for web, image, and video searches, particularly in the Limpopo, Gauteng, KwaZulu-Natal, and Western Cape provinces. Related topics indicated a sexual interest in children to some degree, for example, ‘girl’, ‘boy’, ‘preadolescence’, while topics such as ‘father’ and ‘amateur’ suggest a possible interest in and market for self-generated content. The search term ‘teen sex’ was a string of interest in web, image, and video searches in all nine South Africa provinces. Related topics such as ‘uniform’ and ‘school uniform’ indicate some degree of interest in school-age children, ‘sexual slavery’ and ‘force’ indicate an interest in material of a more aggressive nature, and related queries ‘mzansi teen sex’, ‘mzansi teen sex videos’, ‘black teen sex video’, and ‘ebony teen sex’ perhaps give insights into the geographic and ethnic preferences of some searchers.

Acknowledging that individuals in South Africa looking for CSAM may search in languages other than English, and the use of local languages and slang search terms present a key knowledge gap. With this in mind, there exists an opportunity for law enforcement to review OCSEA investigations in South Africa, with a view to identifying additional terms and search strings used by offenders.

Referrals from foreign law enforcement

An analysis of the data supplied by one foreign law enforcement agency – which requested anonymity – showed a total of 615 reports sent to South Africa related to online child sexual exploitation offences in the time period 2017–2019, with 119 reports in 2017, 125 reports in 2018, and 371 reports in 2019. The types of reports that were most typically sent internationally by this foreign law enforcement agency originated from the agency’s partner companies in the private sector. In these cases, users report an alleged offence to the company, or the company itself becomes aware of an alleged offence and makes a report to the agency. Notably, more reports were sent by this agency to South Africa than to any other *Disrupting Harm* focus country.

A smaller proportion of reports sent internationally by this same foreign law enforcement agency referred to investigations that were initiated domestically and the offender and/or victim was found to reside abroad. In these investigations, the reports are sent to the country/agency of jurisdiction, based on where the IP address of the user who is potentially committing an offence (or the victim’s IP address) is located.

CSAM hosting

South Africa has been identified as a hosting country for images and videos assessed as illegal by INHOPE member hotlines, which contribute to the ICCAM platform⁸⁶, as shown in Figure 34.

Figure 34: CSAM hosting in South Africa, as identified by INHOPE member hotlines using ICCAM.

Year	Illegal items	Percentage of Global Total
2017	17	0.01%
2018	7	0.00%
2019	869	0.27%

Base: Data provided by INHOPE.

86. InHope. (2021). [What is ICCAM & Why is it important?](#)

While the percentage of global hosting remains small, the number of illegal items identified as hosted in South Africa increased substantially in 2019. To some extent this can be explained by operational considerations, primarily increased detection of CSAM worldwide following the deployment of the Project Arachnid⁸⁷ web crawler in 2018.

In addition, the Internet Watch Foundation actioned various reports concerning confirmed CSAM hosting in South Africa, as is shown in Figure 35.

Figure 35: CSAM hosting in South Africa, as identified by the Internet Watch Foundation.

Year	Actioned Reports	Percentage of Global Total
2017	14	0.02%
2018	1	0.00%
2019	46	0.03%

Base: Data provided by Internet Watch Foundation.

Since data pertaining to the ICCAM project is limited to submissions from INHOPE member hotlines, and since the Internet Watch Foundation primarily operates as the United Kingdom’s CSAM hotline, this should not be taken as the sum total of CSAM hosting in the country.

2.1.4 Links to travel and tourism

Convicted sex offenders in several countries are required to notify a central authority of overseas travel. An analysis of the data provided by one foreign law enforcement agency – which requested anonymity – showed that the eight African *Disrupting Harm* focus countries made up less than 1% of all travel reports of convicted national sex offenders. The agency concluded that travel by convicted sex offenders has been impacted considerably by the coronavirus pandemic.

The U.S. Homeland Security Investigations’ Angel Watch Center provides referrals to officials in destination countries on convicted U.S. child sex offenders who have confirmed scheduled travel. Those that are subsequently confirmed as not being admitted into the destination country (and are communicated to U.S. Homeland Security Investigations) are counted as ‘denials.’ In the years 2017 to 2020, the Angel Watch Center made 75 referrals concerning travellers to South Africa, representing nearly 50% of the total number of referrals to *Disrupting Harm* focus countries in Africa. The agency only received a total of four ‘denial’ notices: two in 2019 and two in 2020.

“ [South African] officers working on OCSEA are very experienced and capable of detecting and documenting multiple charges in OCSEA cases, leading to a more consistent rate between investigations opened and cases proceeding with charges. ”

87. Operated by the Canadian Centre, Project Arachnid is an innovative tool designed to crawl links on sites previously reported to Cybertip.ca that contained CSAM and detect where these images/videos are being made publicly available. Once child sexual abuse material is detected, a notice is sent to the provider hosting the content requesting its removal.

2.2 CHILDREN'S EXPERIENCES OF ONLINE SEXUAL EXPLOITATION AND ABUSE IN SOUTH AFRICA

Under the *Disrupting Harm* project, OCSEA was specifically defined to include online grooming of children for sexual purposes, CSAM, and the live-streaming of child sexual abuse. These concepts are used in this chapter to organise and present the research findings. Moreover, it must be recognised that the ways in which children are subjected to OCSEA are often far more complex and nuanced. The forms of violence and offences in question can occur in combination or in sequence. Moreover, as explored in the *The Continuum of Online and Offline Child Sexual Exploitation and Abuse* box on page 62, OCSEA does not only occur in the digital environment; digital technology can also be used as a tool to facilitate or record in-person sexual exploitation and abuse.

2.2.1 Online grooming

“*In the exploitation space, there are places to develop online relationships. As the more IT literate youths become adults, the fight in the cyber world will become active. Online grooming, in my opinion, is bigger than offline grooming. Younger offenders are becoming older and they have more advanced cyber skills... The biggest threat is that the cyber world is a massive grooming opportunity. Gone are the days when the child met the offender in the park.*”

(RA4-J-SA-08-A, Senior Public Prosecutor, National Prosecution Authority)

Disrupting Harm defines online grooming as engaging a child via technology with the intent of sexually abusing or exploiting them. This may occur either completely online or through a combination of online and in-person interactions between the victim and the offender. Online grooming is a complex process, which is often fluid and difficult to detect, especially where it involves a slow building of trust between the offender and the child over an extended period of time. The child is often ‘prepared’ for sexual abuse and made to engage in sexual acts online or in person by means of deceit, coercion, or threats. However, online grooming can also be abrupt, with an offender suddenly requesting or pressuring a child to share sexual content of themselves or to engage in sexual acts, including via extortion.

South Africa’s Criminal Law (Sexual Offences and Related Matters) Amendment Act criminalises grooming children with the intent of sexually abusing them in person *and also* grooming that is committed solely online (for example, for the production of CSAM).⁸⁸

The following section primarily focuses on children’s experiences of various interactions that could constitute online grooming, as captured in the household survey of internet-users aged 9–17. Differences between age groups, gender, and urban and rural areas are only reported when they are five percentage points or more.

In the household survey, children were asked if, in the past year, they had been subjected to the following behaviours, which could be an indication of grooming:

- I have been asked to talk about sex or sexual acts with someone when I did not want to.
- I have been asked for sexual information about myself (such as what my body looks like without clothes on or sexual things I have done) when I did not want to answer such questions.
- I have been asked for a photo or video showing my private parts when I did not want to.

These indicators are described as instances of *potential* (versus actual) grooming, because, as mentioned above, the grooming process is complex and what constitutes grooming can be context-specific. The indicators may, for example, capture a child being asked to talk about sex by their boyfriend or girlfriend but not wanting to engage at that moment. The child might not face serious harm from this interaction, and it may not fall under the definition of grooming. On the other hand, the above indicators could also capture malicious instances of attempted grooming with the aim of encouraging children to engage in sexual acts or to desensitise children to sexualised experiences, as indicated in the Criminal Law (Sexual Offences and Related Matters).

88. Republic of South Africa. (2007). [Criminal Law Amendment \(Sexual Offences and Related Matters\) Act No. 32 of 2007](#), Section 18.

Potential grooming – children asked to talk about sex

Over the previous year, 19% of children surveyed were asked ‘to talk about sex or sexual acts with someone when they did not want to’. The proportion of children subjected to these requests increased by age group, i.e., the number of 16–17-year-olds that said that this had happened to them in the past year was three times higher than that of the youngest children surveyed (see Figure 36). Differences depending on the child’s gender or whether they live in an urban or rural area were less notable: it was slightly more common for girls to receive these unwanted requests as compared to boys (21% and 16%, respectively) and for children living in rural areas to be targeted than those in urban areas (25% and 17%, respectively).

In addition, 22% of children said that they had received requests to share sexual information about themselves. This kind of sexual information included, for example, describing what their body looks like without clothes on, or discussing sexual things they had done in the past. As shown in Figure 36, children aged 16–17 were more often exposed to these requests as compared to younger age groups. More girls were targeted than boys (26% and 16%, respectively). In rural areas of South Africa, 27% of children had received such requests in the year prior, as compared to 20% of children living in urban areas.

Potential grooming – children asked to share sexual images or videos

Some offenders have the intention of manipulating children into self-generating and sharing sexual images or videos through digital technologies, whether or not they also intend to meet the child in person. In 2015, amid concern about this issue, the Lanzarote Committee in charge of overseeing implementation of the Council of Europe’s Convention on the Protection of Children against Sexual Exploitation and Abuse (also known as the ‘Lanzarote Committee’) issued an opinion regarding this. The Committee recommended that states should extend the crime of grooming for sexual purposes to include “cases when the sexual abuse is not the result of a meeting in person but is committed online.”⁸⁹

The children who took part in the household survey were asked if, in the past year, they had received a request ‘for a photo or video showing their private parts when they did not want to.’ Sixteen percent of the internet-using children surveyed in South Africa said that this had happened to them in the past year. It was more common for children in older age groups to receive these requests (see Figure 36). Twenty-four percent of children living in rural areas were targeted with such requests, as compared to 13% of children in urban centres, with relatively minor differences according to gender (boys: 13%; girls: 19%). It is not clear to what extent this figure captures the sharing of images among peers versus attempts to manipulate children into self-generating and sharing sexual content through digital technologies.

Figure 36: Children who received unwanted requests of a sexual nature, by age.

	9–11	12–13	14–15	16–17
Asked to talk about sex or sexual acts with someone when I did not want to	7%	11%	21%	28%
Asked for sexual information about myself when I did not want to answer such questions	8%	12%	23%	34%
Asked for a photo or video showing my private parts when I did not want to	6%	8%	18%	26%

Base: Internet-using children aged 9–17 in South Africa from the *Disrupting Harm* study. n = 1,639.

89. Council of Europe’s Lanzarote Committee. (2015). [Opinion on Article 23 of the Lanzarote Convention and its explanatory note](#). Para 20.

2.2 CHILDREN'S EXPERIENCES OF ONLINE SEXUAL EXPLOITATION AND ABUSE IN SOUTH AFRICA

Sexual extortion

Sexual extortion is sometimes used in the grooming process. Offenders who have obtained sexual content of children could threaten to publish this material online or to share it with their friends or members of their families, as a way of coercing them into sharing more images, engaging in other kinds of sexual activities, or sending money.

Sexual extortion is *not* explicitly criminalised in South African legislation; this represents a major gap in the legislative framework given that 7% of 9–17-year-old internet users surveyed said that they had been threatened or blackmailed to engage in sexual activities within the past year. The children were not asked what kinds of threats were used, so it is not clear, for example, whether previously obtained sexual images were used to extort money or to engage in further sexual activities.

Patterns in children's experiences

The data above shows some similar patterns as regards victim profiles. Older children (particularly 16–17-year-olds), girls, and children living in rural areas tended to be targeted with potential grooming requests. To further identify patterns in children's experiences of OCSEA, all respondents who were subjected to *any* of the incidents above were asked several follow-up questions about *the last time* they had received these unwanted requests.

Online or offline? As shown in the infographic on [page 55](#), the majority of children in this sub-sample were targeted online. When taken together, 80% of these children said that they had most recently received unwanted sexual requests online either on social media, instant messaging apps, media-sharing platforms, or online games. In comparison, 12% of children were targeted in person. Given that a child can be groomed through a combination of online and offline interactions between the child and offender, this question does not fully capture the overlap between online and offline forms of violence. However, it does provide an initial understanding of where children are often targeted.

The fact that most of these cases of potential grooming were facilitated by technology is a threat that most caregivers may not be aware of. According to one *Disrupting Harm* interviewee from the National Prosecution Authority: *"The biggest challenge is the lack of understanding of the defence that is needed by the parents of children. [Parents] are not aware that the children in their house are being groomed, with the house alarm on and the guard dog outside. There is a need for massive education."* (RA4-J-SA-08-A) However, one station commander at the South African Police Service said that, based on her/his experience, caregivers are indeed aware of the threats: *"Referrals come from parents. Prevention talks are given at schools and so referrals come from schools."* (RA4-J-SA-02-A)

On which social media platform? Among children who were targeted specifically on social media, instant messaging, or media sharing apps, the majority (65%) were approached on Facebook or Facebook Messenger. WhatsApp was a distant second, accounting for 27% of children's responses.

Who did it? Individuals who were unknown to the child were the most common offenders, accounting for 39% of cases. The least common offender group comprised family members.

Who did you tell? Children were reluctant to disclose their experience to anyone, with 55% stating that they did not tell anyone the last time they received these unwanted requests. Of note is that, if children did choose to disclose, they more often turned to someone their age, including friends (35%) or siblings (6%), than to adults. Only 1% of these children turned to a formal reporting channel such as the police or social workers.

Barriers to children's disclosure were not captured in the household survey. However, this remains an important area for further study in South Africa given the high proportion of children who do not disclose or report their abuse. Understanding why children are hesitant to disclose their experiences is key to understanding how to encourage disclosure or reporting in the future. Frontline workers' perceptions of barriers to disclosure are discussed in [chapter 2.3](#).

**IN THE PAST YEAR
I HAVE BEEN ASKED FOR SEXUAL INFORMATION ABOUT
MYSELF WHEN I DID NOT WANT TO ANSWER SUCH QUESTIONS**



**IN THE PAST YEAR
I HAVE BEEN ASKED TO TALK ABOUT SEX OR SEXUAL
ACTS WITH SOMEONE WHEN I DID NOT WANT TO**



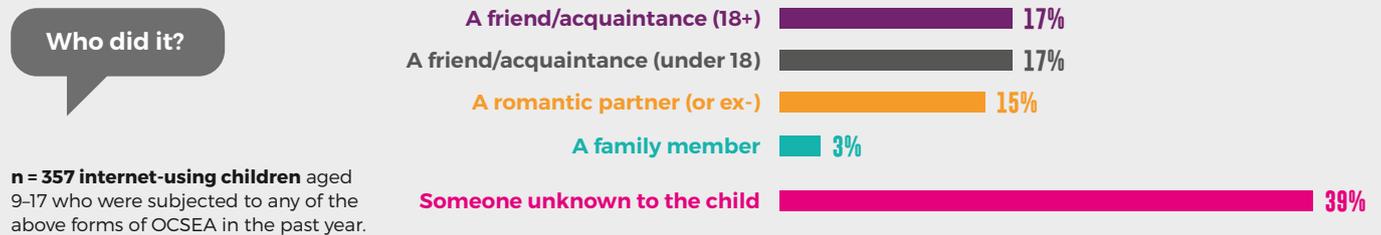
**IN THE PAST YEAR
I HAVE BEEN ASKED FOR A PHOTO OR VIDEO SHOWING
MY PRIVATE PARTS WHEN I DID NOT WANT TO**



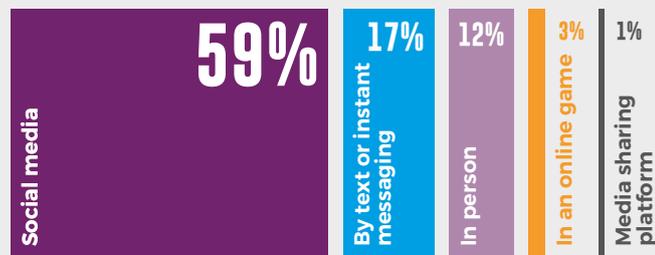
**IN THE PAST YEAR
I WAS THREATENED OR BLACKMAILED
TO ENGAGE IN SEXUAL ACTIVITIES**



THE LAST TIME ANY OF THESE HAPPENED...

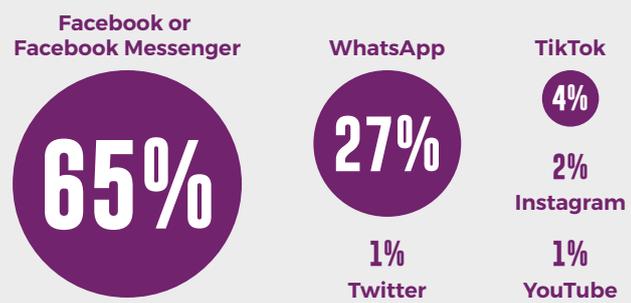


Where did it happen?



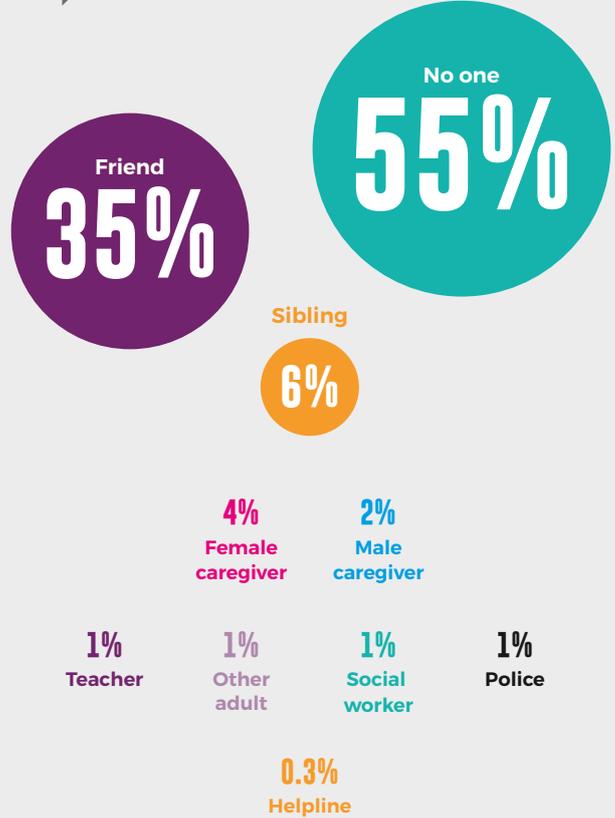
n = 357 internet-using children aged 9-17 who were subjected to any of the above forms of OCSEA in the past year.

On which platform did this happen?



n = 275 internet-using children aged 9-17 who were subjected to any of the above forms of OCSEA via social media, instant messaging, or media sharing apps.

Whom did you tell?†



n = 357 internet-using children aged 9-17 who were subjected to any of the above forms of OCSEA in the past year.

†Multiple choice question

2.2 CHILDREN'S EXPERIENCES OF ONLINE SEXUAL EXPLOITATION AND ABUSE IN SOUTH AFRICA

Offering children money or gifts for sexual images or videos

The offer of money or gifts to a child in return for sexual images or videos constitutes an example of grooming with the aim of obtaining CSAM. In the previous year, 9% of children who participated in the household survey had been offered money or gifts in return for sexual images or videos.

Offering children money or gifts for sexual acts

It is clear from the conversations with survivors of OCSEA conducted as part of the research for *Disrupting Harm* that the grooming of children online for the purpose of meeting in person to engage in sexual activities is a real threat. As shown in [chapter 2.1](#), in the reporting period 2017–2019, there were 42 CyberTips for South Africa related to 'online enticement of children for sexual acts' in South Africa, and several of these cases were further classified as 'online enticement pre-travel'. This pattern of offending further illustrates how entwined 'online' and 'in-person' sexual abuse can be, and how digital technologies can be used as a means to facilitate in-person abuse (see [page x](#) for more on the continuum of online and offline abuse).

In the household survey, 9% of children said that they were offered money or gifts to meet in person to do something sexual. There were no notable differences according to gender or whether the child lived in an urban or rural area.

Of the 141 children who were offered money or gifts to produce CSAM, 79% said that they had also received similar offers in exchange for *in-person sexual acts*. Although it is unclear whether these were separate incidents or part of the same grooming attempt, it does illustrate that these categorisations do not always reflect the realities and complexities of children's lived experiences of abuse.

What did children do when they received these offers? As shown in the infographic on the next page, most children did not accept the offers made to them to engage in sexual activities. Forty-three percent of children 'said no' and directly refused to comply with the request, and others employed tactics such as asking the offender to leave them alone, blocking the person, or ignoring the message altogether. Only 1% of children reported what happened online.

A minority of children (4%) did send sexual images or videos of themselves to the offender or did engage in sexual activities in person following these offers of gifts or money.

Age, gender, and urbanity disaggregation are not presented in detail due to the small sample size for these components and the higher margin of error.

While the practice of accepting money or gifts in exchange for sexual activities is not new,⁹⁰ the use of digital technologies – including by children and young people – to self-produce and send sexual images or videos of oneself in return for money or other material incentives is an emerging trend. This practice could increase the risk of others sharing a child's private images without permission: 90% of the 'youth-generated' sexual images and videos assessed in a study by the Internet Watch Foundation and Microsoft were 'harvested' from the original location to which they were uploaded before being redistributed on third-party websites.⁹¹ Additional facets of CSAM production and distribution, including self-generated images and videos, are explored further in the next section.

In interviews with key stakeholders conducted by ECPAT in 2019, 'Blesser-Blessee' – a term used to describe incidents in which young girls are sexually exploited by older men in exchange for monetary incentives – was described as an evolving practice in South Africa.⁹² Another study found that, in rural South Africa, particular socio-economic, behavioural, and socio-cultural factors, such as not having a stable income, peer pressure, or expectations that men should provide for women, economically influence young women's susceptibility to this kind of exploitation.⁹³ This type of transactional relationship also exists in other parts of the world (with different terms being used such as 'compensated dating'). However, such terminology should be avoided as it does not communicate the fact that these children are being sexually exploited.

Gaps still remain concerning this form of OCSEA. Understanding the intricacies around children's motivations to engage in this practice, their understanding of the risks involved, and how they are first introduced to this practice are important questions that require further study.

90. Stoebenau, K., Heise, L., Wamoyi, J., Bobrova, N. (2016). [Revisiting the understanding of "transactional sex" in sub-Saharan Africa: A review and synthesis of the literature](#). *Social Science & Medicine* (168). Pp. 186–197.

91. Internet Watch Foundation and Microsoft. (2015). [Emerging Patterns and Trends Report #1 Online-Produced Sexual Content](#).

92. ECPAT International. (2019). [The Landscape of Sexual Exploitation and of Children in South Africa](#).

93. Mampane, J.N. (2018). [Exploring the "Blesser and Blessee" Phenomenon: Young Women, Transactional Sex, and HIV in Rural South Africa](#). *SAGE Open*.

IN THE PAST YEAR
I WAS OFFERED MONEY OR GIFTS IN RETURN FOR SEXUAL IMAGES OR VIDEOS

YES 9%

Base: Internet using children 9-17 in South Africa. n = 1,639



IN THE PAST YEAR
I WAS OFFERED MONEY OR GIFTS TO MEET IN PERSON TO DO SOMETHING SEXUAL

YES 9%

Base: Internet using children 9-17 in South Africa. n = 1,639



THE LAST TIME ANY OF THESE HAPPENED...



n = 113 internet-using children aged 9-17 who were subjected to any of the above forms of OCSEA in the past year.

2.2.2 Child Sexual Abuse Material (CSAM) and live-streaming of child sexual abuse

The Criminal Law (Sexual Offences and Related Matters) Amendment Act provides a clear and comprehensive definition of CSAM.⁹⁴ This definition covers “images, descriptions and presentations” of a sexual nature of a child, or a person appearing to be a child. Such material is considered abusive even when not intended to stimulate erotic feelings. In addition, the definition covers materials portraying real and simulated persons, thereby criminalising digitally generated CSAM. Although not explicitly specified, the use of the words “description” and “presentation” could expand the scope of the definition not only to visual material, but also audio and written material.

The provision encompasses both materials depicting sexual acts and the sexual parts of a child for primarily sexual purposes.

Following the commencement of certain sections of the Cybercrimes Act 2020 on the 1 December 2021,⁹⁵ a range of conduct related to CSAM is now criminalised. This includes production, mere possession (with no intent to distribute), viewing, downloading, sale, distribution, and transmission.⁹⁶ The law also punishes whoever facilitates this conduct⁹⁷ and those who intentionally process or facilitate a financial transaction related to CSAM-related offences.⁹⁸ This latter addition is quite innovative and uncommon in international legislation.

94. Republic of South Africa. (2007). [Criminal Law Amendment \(Sexual Offences and Related Matters\) Act No. 32 of 2007](#), Section 1(1).
 95. Department of Justice and Constitutional Development. (2021, November 30). [Proclamation by the President of the Republic of South Africa. Commencement of certain sections of the Cybercrimes Act of 2020.](#)
 96. Republic of South Africa. (2007). [Criminal Law Amendment \(Sexual Offences and Related Matters\) Act No. 32 of 2007](#), Section 19A and 20, as amended by [Act No. 19 of 2020: Cybercrimes Act, 2020](#), Schedule, Section 58.
 97. Republic of South Africa. (2007). [Criminal Law Amendment \(Sexual Offences and Related Matters\) Act No. 32 of 2007](#), Section 19A (5), as amended by [Act No. 19 of 2020: Cybercrimes Act, 2020](#), Schedule, Section 58.
 98. Republic of South Africa. (2007). [Criminal Law Amendment \(Sexual Offences and Related Matters\) Act No. 32 of 2007](#), Section 19A (6), as amended by [Act No. 19 of 2020: Cybercrimes Act, 2020](#), Schedule, Section 58.

2.2 CHILDREN'S EXPERIENCES OF ONLINE SEXUAL EXPLOITATION AND ABUSE IN SOUTH AFRICA

The Cybercrimes Act also added to the Criminal Law (Sexual Offences and Related Matters) Amendment Act definition of “live performance involving child pornography”⁹⁹ and a provision criminalising those who attend, view, or participate in such live performances.¹⁰⁰ However, it is not explicitly indicated whether these provisions would apply to live-streamed child sexual abuse.

In a report finalised in mid-2021 and published in March 2022, the South Africa Law Reform Commission recommended a revision of the definition of child sexual abuse material, suggesting the obsolete and harmful term “child pornography” be replaced with the more appropriate “child sexual abuse material”.¹⁰¹ However, the suggested terminology amendment has not been incorporated in the amendments dictated by the Cybercrimes Act.

How Technological Development has Influenced OCSEA

The wide availability of faster and cheaper internet access has led to the increasing use of video tools in communication. Video chat and live-streaming tools have rapidly gained popularity and are changing the ways in which people engage with each other, particularly young people. Live-streaming is increasingly used, both among small private groups and for ‘broadcasts’ to large, public, unknown audiences. The misuse of such tools is creating new ways of perpetrating OCSEA, including the following.

Offenders broadcasting child sexual abuse:

Live-streaming tools can be used to transmit sexual abuse of children instantaneously to one or more viewers, so that they can watch it while it is taking place. Remote viewers may even be able to request and direct the abuse, and financial transactions can occur alongside it or even within the same platforms.

Streaming platforms do not retain the content shared, they only retain the metadata concerning access to their services. This means that when the streaming stops, the CSAM vanishes, unless the offender deliberately records it.

This creates specific challenges for investigators, prosecutors, and courts, especially as the existing legislative definitions of CSAM and methods of investigation and prosecution are not always up to date.

Self-generated sexual content involving children:

As noted in [chapter 1.3.3](#), the rise in self-generated sexual content, both coerced and non-coerced, live-streamed or recorded, poses complex challenges. Even if its production is non-coerced, this content may still make its way into circulation, through non-consensual sharing or nefarious means such as hacking. Governments and support services everywhere are grappling with how to address these issues.

While evidentiary and other procedural codes may be amended to better reflect the reality of modern technology, it is still necessary to be trained on these amendments and properly implement them. As a South African Police Service representative stressed, there is a need for ongoing training, *“especially on advances in technology.”* (RA1-SA-01-A)

99. Republic of South Africa. (2007). [Criminal Law Amendment \(Sexual Offences and Related Matters\) Act No. 32 of 2007](#), Section 1, as amended by [Act No. 19 of 2020: Cybercrimes Act, 2020](#), Schedule, Section 58.

100. Republic of South Africa. (2007). [Criminal Law Amendment \(Sexual Offences and Related Matters\) Act No. 32 of 2007](#), Section 20, as amended by [Act No. 19 of 2020: Cybercrimes Act, 2020](#), Schedule, Section 58.

101. South Africa Law Reform Commission. (2022). [Report Project 107 Sexual Offences: Pornography and children](#).

Non-consensual sharing of children's sexual images

In the past year, 7% of the children surveyed said that their sexual images had been shared without their permission. Differences according to gender and geographic location were minimal. As with the other experiences of abuse already presented in this chapter, among victims of non-consensual sharing of sexual images, a slightly higher proportion were older children aged 16-17 (see [Figure 37](#)).

Sexual images of children, particularly those shared online, can be circulated widely and viewed repeatedly all over the world, resulting in a continuous sense of shame and fear of being recognised. When these images or videos capture instances of severe sexual abuse, the trauma associated with those in-person experiences can be repeatedly reactivated by the sharing of the content.

Sexual harassment and unwanted exposure to sexual images

In addition to the examples of OCSEA already presented, children may be subjected to other experiences online that can be harmful, such as sexual harassment or unwanted exposure to sexualised content. These experiences could, in some instances, contribute to the desensitisation of children so that they become more likely to engage in sexual talk or sexual acts, for example, during a grooming process.

According to the *Disrupting Harm* data from South Africa, 34% of children said that someone had made sexual comments about them that made them feel uncomfortable in the past year. Sexual comments were defined as comments or jokes about a child's body, appearance, or sexual activities. This kind of sexual harassment was most common for 14-15 and 16-17-year-old children (see [Figure 37](#)). Once again, children in rural areas were more vulnerable, with 36% reporting being sexually harassed in this way as compared to 26% of children living in urban areas. There were no notable differences according to gender.

As detailed in this chapter, sharing sexual images with children could be a tactic used by offenders to desensitise children. Twenty-four percent of children said that someone had sent them sexual images they did not want.

The *Disrupting Harm* research activities included detailed conversations with 33 young people from selected countries and their accounts illustrated common approaches that offenders may use to commit sexual extortion. One young person in Namibia recalled that the offender *"started threatening me, saying, 'If you not going to [meet me in person], I will post those nude pictures you sent me; I will post them all on Instagram and on Facebook and on TikTok, and I will also share them on my WhatsApp.' I begged him, I said, 'Please don't do that to me, don't do it, don't put my photos on social media.' Then he was like, 'No, it's too late.'" (RA5-NA-03-A)* Another young person from Namibia expressed considerable fear that her pictures *might* be shared and what the consequences of this would be: *"If this man sells these pictures or posts them on social media, what will people think about me? What will they say, what will the community say? That's where the fear started coming in, whereby my reputation will be ruined and I don't know what this man will say about me and what people will think... So, things were really messed up for me."* (RA5-NA-02)

While the experiences of these two children in Namibia do not necessarily apply to children's unique testimonies in South Africa, they can provide an example of the ways in which children might be coerced into sharing their sexual images and the consequences that this may have. However, similar research with children in South Africa is needed to allow for a better understanding of the experiences of young survivors in the country.

This proportion increased steadily across the age groups, e.g., four times more 16-17-year-olds were exposed to unwanted sexual images as compared to 9-11-year-olds in the sample. In addition, a higher proportion of girls were targeted with these images than boys (27% and 20%, respectively). In rural areas of South Africa, 31% of children were sent unwanted sexual images as compared to 23% of children in urban centres.

2.2 CHILDREN'S EXPERIENCES OF ONLINE SEXUAL EXPLOITATION AND ABUSE IN SOUTH AFRICA

Figure 37: Children who had unwanted sexual experiences online, by age.

	9-11	12-13	14-15	16-17
Someone shared sexual images of me without my consent	5%	4%	8%	10%
Someone made sexual comments about me (e.g., jokes, stories, or comments about my body, appearance, or sexual activities) that made me feel uncomfortable	24%	27%	39%	39%
Someone sent me sexual images I did not want	9%	14%	27%	36%

Base: Internet-using children aged 9-17 in South Africa from the *Disrupting Harm* study. n = 1,639.

Patterns in children's experiences

Online or offline? It was more common for children who had been subjected to any of the incidents above to be targeted online, through social media, instant messaging, media sharing platforms, or online games. Fewer children (34%) were targeted in person (see infographic on [page 61](#)).

Differences according to gender and urbanity were fairly minimal. However, notable differences emerged according to age group:

- Younger children were more often targeted through in-person interactions as compared to their older counterparts (9-11: 53%; 12-13: 40%; 14-15: 36%; 16-17: 24%).
- The opposite was true for abuse that was facilitated online, i.e., a higher proportion of older children were targeted via social media, instant messaging, media sharing platforms, or online games as compared to younger respondents (9-11: 40%; 12-13: 51%; 14-15: 56%; 16-17: 63%).

On which social media platform? Among the children who had been most recently targeted via social media, instant messaging, or media sharing apps, Facebook or Facebook Messenger were by far the most common platforms on which this happened. This was followed by WhatsApp.

Who did it? When asked about the last time any of the above incidents had happened, respondents once again indicated that strangers, or people unknown to the child, were the most common offenders. This might indicate that some of the cases above were indeed part of the grooming process. Friends aged under 18 were the next most common offenders, although they were a distant second to people that were unknown to the child. One forensic psychologist interviewed reflected on the issue of peers being involved in a child's abuse: *"Child-on-child internet abuse is more common than we believed, and the children are closer in age and using their device as a power tool. The age gap has disappeared. There are far more girls exposing younger girls to online porn and girls are teased if they don't want to watch. 'Boys will be boys' is often a response to boys 'playing' [viewing online sexual content] in this way - but when girls are involved this creates a panic."* (RA4-SA-01-A)

Who did you tell? Children did not often disclose their abuse to anyone. If they did, children tended to tell a friend, followed by a sibling or a female caregiver. Very few children made a formal report to the police, a social worker, or a helpline. This once again demonstrates a tendency for children to first turn to their peers, which raises questions about how well children are equipped to deal with these disclosures by other children their age, and whether or not they know what to do next. Moreover, this highlights the need for adults to ensure that children feel comfortable disclosing sensitive and upsetting incidents to them.

IN THE PAST YEAR SOMEONE MADE SEXUAL COMMENTS ABOUT ME THAT MADE ME FEEL UNCOMFORTABLE

YES 34%

Base: Internet using children
9-17 in South Africa. n = 1,639



IN THE PAST YEAR SOMEONE SENT ME SEXUAL IMAGES I DID NOT WANT

YES 24%

Base: Internet using children
9-17 in South Africa. n = 1,639



IN THE PAST YEAR SOMEONE SHARED SEXUAL IMAGES OF ME WITHOUT MY CONSENT

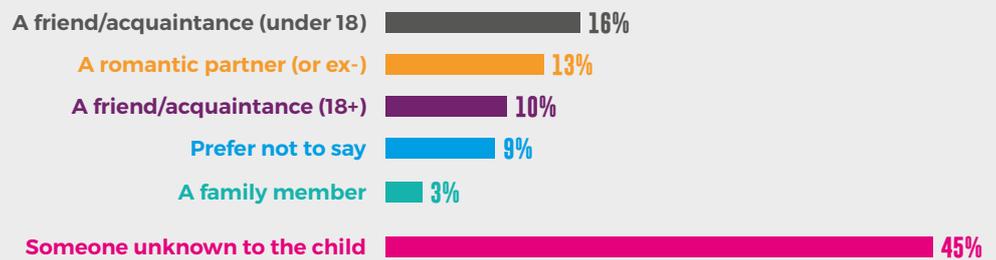
YES 7%

Base: Internet using children
9-17 in South Africa. n = 1,639



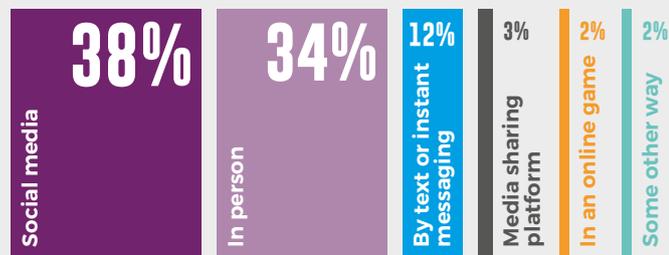
THE LAST TIME ANY OF THESE HAPPENED...

Who did it?



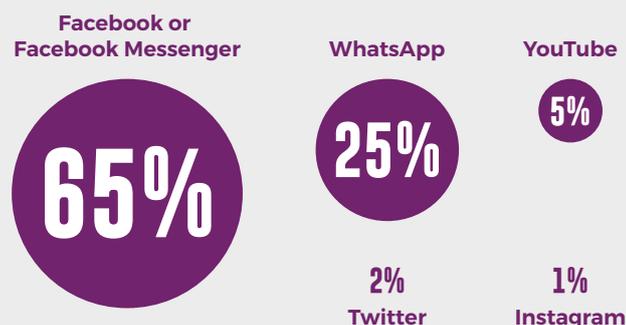
n = 357 internet-using children aged 9-17 who were subjected to any of the above forms of OCSEA in the past year.

Where did it happen?



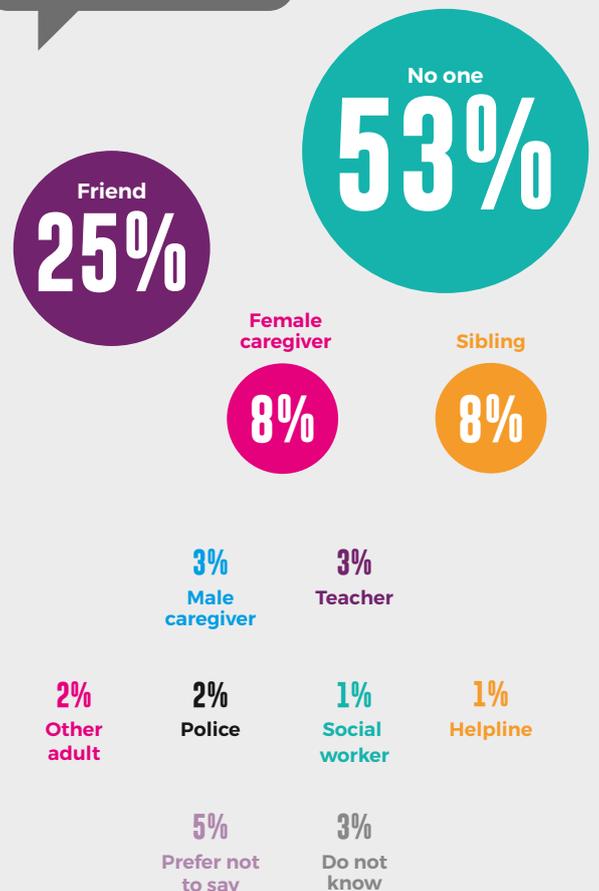
n = 746 internet-using children aged 9-17 who were subjected to any of the above in the past year.

On which platform did this happen?



n = 402 internet-using children aged 9-17 who were subjected to any of the above via social media, instant messaging, or media sharing apps.

Whom did you tell?†



n = 746 internet-using children aged 9-17 who were subjected to any of the above in the past year.

†Multiple choice question

2.2 CHILDREN'S EXPERIENCES OF ONLINE SEXUAL EXPLOITATION AND ABUSE IN SOUTH AFRICA

The Continuum of Online and Offline Child Sexual Exploitation and Abuse

The *Disrupting Harm* data illustrates that strictly categorising child sexual exploitation and abuse as 'online' or 'offline' does not accurately reflect the realities of sexual violence that children are experiencing.

Disrupting Harm explores and presents data about:

1. Sexual exploitation and abuse that takes place exclusively in the online environment.
2. Sexual exploitation and abuse that takes place offline but is facilitated by online digital technologies.
3. Sexual exploitation and abuse that is committed offline and then moves online through sharing images or videos of contact sexual abuse.

The research findings illustrate that, whilst all instances of OCSEA are characterised by an online or digital technology element, the abuse and exploitation can occur at multiple points along the continuum between the online and offline environments. One conversation with a survivor from South Africa provides an illustration of this: *"I was young and I was abused, my mother also. My two brothers were not living with us, so my father abused me and my mom. So there came a time, on my seventh birthday, that he raped me. My mom was not there on my birthday; she went to work. She still doesn't know... Then, when I had turned 11, he raped me again."* (RA5-SA-01)

This young person did not discuss how their father had taken and uploaded images of the rape and, in fact, may not have been aware of this online component to the abuse that they experienced (which presented complex ethical considerations – explained further in the Survivor Conversations report due to be published in late 2022).

Offenders may use the online environment to connect with children, eventually convincing and/or coercing them to share self-generated sexual content, which may be shared further online. Offenders may use the online environment to groom children with the intention of later meeting face-to-face to engage in contact sexual abuse.

A frontline worker shared an example of a case in which *"a minor had been lured to an alleged offender's house via social media, where he became a victim of a sexual crime."* (RA3-SA-49-A) An offender may also engage with and subsequently abuse or exploit a child in an offline environment but may use online tools to communicate with the child, to coerce the child, or to capture sexually explicit images or videos (and potentially share the sexual content online). These are only a few examples of the dynamic nature of OCSEA and the characteristic fluidity of movement between online and contact sexual abuse.

Interviews conducted by the *Disrupting Harm* team with various stakeholders suggest that response systems are not fully adjusted to this reality and that OCSEA is sometimes perceived as a 'new kind of abuse' that requires an entirely different response. Justice professionals explained that the threat of OCSEA is fairly new on the radar of many jurisdictions and not yet fully understood.

Moreover, some frontline workers did recognise the connection between online and offline abuse: *"Most OCSEA cases are likely to lead to [offline] sexual exploitation generally, where children are coerced into meeting up with the offenders."* (RA3-SA-02-A) Additionally, when asked about the factors related to the child that influence vulnerability to OCSEA and general sexual abuse, the frontline workers noted several factors, including increased access to technology and internet, being left behind by a guardian who has migrated for work, or dropping out of school. One frontline worker elaborated: *"The need to explore and experiment makes them more vulnerable to OCSEA, but sexual exploitation is also prevalent offline as much as it is online."* (RA3-SA-25-A)

In line with this, data from across the *Disrupting Harm* countries consistently shows that a proportion of children subjected to OCSEA are also exposed to an instance of in-person sexual, physical, or emotional abuse. This may indicate that OCSEA is an extension of existing abuse that is already experienced by the child, and that there are a common set of vulnerabilities that make children who experience violence offline more likely to also experience violence online, and/or vice versa.

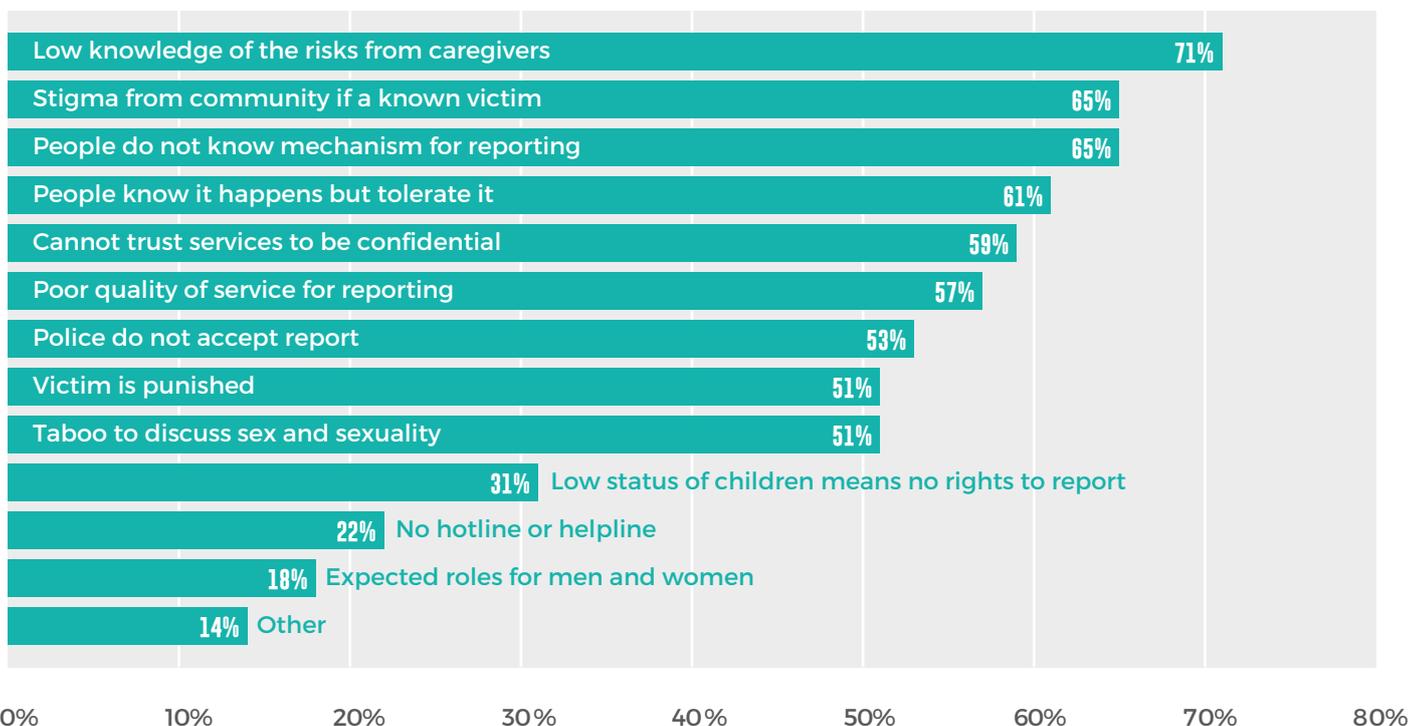
2.3 BARRIERS TO DISCLOSURE AND REPORTING OF ONLINE CHILD SEXUAL EXPLOITATION AND ABUSE

As presented in [chapter 2.2](#), across the various types of OCSEA measured in the household survey, approximately half of children did not tell anyone the last time they were subjected to OCSEA and very few turned to helplines or the police. Children who decided to disclose often relied on their friends for support. As mentioned above, data on the barriers to disclosure for children was not collected through the household survey and this is an important subject for future research. However, the data from the survey of frontline workers and interviews with government representatives presented in this sub-chapter can provide some insights into why children in South Africa might not disclose cases of OCSEA.

Lack of knowledge regarding OCSEA and reporting: In the frontline workers' survey, 71% of the respondents said that low knowledge of the risks of OCSEA from caregivers is one of the biggest barriers to reporting (see Figure 38). As a participant of the survey explained: "People don't understand OCSEA." (RA3-SA-48-A) Sixty-five percent of the frontline workers thought that people not knowing the mechanisms for reporting also influenced reporting of OCSEA. One respondent shared:

"OCSEA cases are still unreported. It's still a touchy subject in schools as many teachers and parents are not aware of the seriousness of the matter and the available resources they can access for help." (RA3-SA-25-A) Furthermore, while there are formal mechanisms for reporting OCSEA, many governmental representatives noted that there seemed to be a lack of public knowledge of the reporting mechanisms.

Figure 38. Frontline workers' perceptions of the social and cultural factors influencing OCSEA reporting.



Base: Frontline welfare workers. n = 49.

2.3 BARRIERS TO DISCLOSURE AND REPORTING OF ONLINE CHILD SEXUAL EXPLOITATION AND ABUSE

Data from the household survey with caregivers of internet-using children *contradict* the assumptions that caregivers are unaware of reporting mechanisms. Figure 39 shows the proportion of caregivers who said they are aware of the services provided by the following:

Figure 39: Caregivers’ awareness of various reporting and response mechanisms in South Africa.

South African Police Services	93%
Department of Social Development - Social workers/social service professional	81%
Childline South Africa	64%
Legal Aid South Africa	58%
Child Welfare South Africa	56%
SA National Counselling Line - Lifeline	50%
Child Pornography Hotline	27%

Base: Caregivers of internet-using children aged 9-17 in South Africa. n = 1,393.

The majority of respondents agreed or strongly agreed that the above services were helpful, easy to reach, and respond in a timely manner.

Discouraging children from disclosing or reporting:

In some cases, there may be reasons that lead professionals working with children to discourage disclosure, for example, one senior prosecutor stated: *“Disclosure is sometimes discouraged by psychologists because of the obligation to report. Sometimes it is the fear of having to be cross-examined in court. So, the need to protect the child becomes secondary. Therapists do not want to go to court. We need to kick over this wall. Teachers are also in the same boat.”* (RA4-J-SA-08-A)

Interviewees from the education sector held a similar view related to teachers fearing mandatory reporting of child abuse, as there is a fear of retaliation and victimisation by offenders. Medical and psycho-social workers also expressed concern about mandated reporting, as they feared it may interfere with their ability to obtain the truth from their patients and thereby treat them effectively.

Cultural beliefs regarding OCSEA: In the survey of frontline workers, 65% took the view that “stigma from the community” is one of the main reasons for victims not reporting OCSEA (see Figure 38). In one prosecutor’s view, the media fuelled this barrier: *“In South Africa, we are very jaded on reporting. The media focus on the negative and don’t give enough attention to the positive.”* (RA4-J-SA-08-A) The prosecutor further advocated that *“society needs to stop telling children they are broken... I am of the opinion that the psychological scar is deeper than the physical impact.”* (RA4-J-SA-08-A)

Tolerance for OCSEA: In the frontline workers’ survey, 30 respondents suggested that tolerance of OCSEA may be another reason for reporting not occurring. One frontline worker was of the opinion that *“it is not taken as a serious crime in the society.”* (RA3-SA-19-A) Furthermore, parental interference can sometimes influence reporting or investigations, especially if the offender is known to the family.

Lack of confidence in the reporting or disclosure mechanisms:

In the frontline workers’ survey, 28 of the 49 respondents suggested that OCSEA cases may not be reported because the quality of reporting mechanisms is perceived as poor, and 29 respondents said that the services are not trusted to be confidential. One frontline worker opined that *“people are scared to even report because there is poor service after having reported and you end up getting blamed for the crime done to you.”* (RA3-SA-41-A) Caregivers who participated in the household survey were asked what they would do if, hypothetically, their child was sexually harassed, abused, or exploited *online*. The most common response by far was that they would report the incident to the police (61%). Only 2% of caregivers said that they would keep it to themselves; when asked why, the most popular response was that they did not think anything would change as a result of disclosing or reporting the incident.

Disrupting Harm undertook trauma-informed ‘conversations’ with 33 survivors from selected countries about their experiences, and this sense of overcoming fear of shame and judgement was a commonly reported barrier among them. For example, in the words of one young woman from Namibia: “From my family and the community I feel that you as a victim who is involved, you are to blame, and it’s very wrong because there are a lot of factors that lead one to do such things. It’s very wrong as well because then you don’t have the support that you need at that time. Even if I am desperate, it means I can’t think clearly, I am trying to find a solution and if anyone outside makes me feel comfortable, then it will allow me to feel free from fear of judgement and that will allow me to confess or ask for advice. Whenever you mention such a thing, you are the victim, but they will put it as if you put yourself in that situation, you need to get yourself out.” (RA5-NA-07-A)

“

People are scared to even report because there is poor service after having reported and you end up getting blamed for the crime done to you.

RA3-SA-41-A

”

3. RESPONDING TO ONLINE CHILD SEXUAL EXPLOITATION AND ABUSE IN SOUTH AFRICA

This chapter presents evidence about current response mechanisms to OCSEA in South Africa. This includes formal reporting options and responses by law enforcement and the court system. It considers some of the efforts that government, civil society, and the internet and technology industry are making to combat OCSEA in South Africa. This chapter also draws on the testimonies of individuals working in the criminal legal system (law enforcement and prosecutors), legal aid providers, non-governmental organisations, frontline workers, and private practitioners regarding access to justice and legal remedies in South Africa. It should be noted that many of the findings in this chapter are based on qualitative interviews with limited samples and are therefore not intended to be representative.

3.1 FORMAL REPORTING MECHANISMS

The Criminal Law Amendment (Sexual Offences and Related Matters), as amended by the Cybercrimes Act, criminalises anyone – aside from children¹⁰² – who knows about a sexual offence that has been committed against a child or has a reason to suspect that such an offence has been, is being, or will probably be committed and does not report it immediately to the police.¹⁰³ The main channels for reporting OCSEA cases in South Africa are the police, South Africa’s Childline (116), and the CSAM Hotline run by South Africa’s Film and Publication Board. While Childline offers a range of child protection services to children and their families who are seeking help, the CSAM Hotline is for the general public to report CSAM and it focuses on working with industry and law enforcement agencies to take down such content.

3.1.1 Referrals/reports to the police

Reports can be made to the police by calling the 10111-emergency line, by e-mail, or in person at the police station. Interviews with justice professionals revealed several sources for referrals and reports including the following:

Survivors, caregivers, and friends: Few reports come to police directly from children according to a member of the South African Police. (RA4-J-SA-04-A) The interviewee explained: “Children are taught to keep quiet and not speak out in the house, so they normally approach a school psychologist or a teacher at school.” (RA4-J-SA-04-A) Some of the prosecutors interviewed took a similar view and suggested that children appeared to first disclose to family and friends, who then make a report with the police. (RA4-J-SA-10-A, RA4-J-SA-08-A) Another law enforcement officer also thought that “referrals come from parents.” (RA4-J-SA-02-A)

Schools: As one police commander said: “Prevention talks are given at schools and so referrals come from schools.” (RA4-J-SA-02-A) Some justice professionals who were interviewed noted that schools are an important source of referrals to law enforcement, but that in their view, some challenges persist. For example, one forensic psychologist was of the opinion that schools may be reluctant to make referrals because they “are protective of their reputations.” (RA4-SA-01-A)

Internet service providers: Internet service providers are mandated by law to report CSAM-related crimes to law enforcement;¹⁰⁴ however, in one legal expert’s experience, this was not typical: “We never get referrals from [Internet] service providers, and this is a serious concern as they are supposed to report.” (RA4-J-SA-05-A)

International governments/entities: The same legal expert added: “We also get referrals from other countries, especially the Homeland Security Department of the U.S.... Facebook referred a case to us; we followed up the case and found that it was a father who was taking photos of his daughter. This was a much easier case to deal with as the information did not go through a complex bureaucracy. This came from Facebook in the United Kingdom and the referral came through the British commission.” (RA4-J-SA-05-A)

Despite the existence of numerous avenues for reporting incidents of OCSEA to the police, the data presented in [chapter 2.1](#) indicates that law enforcement receive a limited number of reports on OCSEA other than CyberTips related to South Africa passed on by NCMEC from U.S.-based technology companies. One interviewee took the view that the low number of reports might be because “people are afraid of getting involved with any form of law enforcement as it is perceived as very punitive,” both generally and with respect to OCSEA. (RA1-SA-05-A)

102. Republic of South Africa. (2007). [Criminal Law Amendment \(Sexual Offences and Related Matters\) Act No. 32 of 2007](#), Section 56(5).

103. Republic of South Africa. (2007). [Criminal Law Amendment \(Sexual Offences and Related Matters\) Act No. 32 of 2007](#), Section 54(3)(a), as amended by Act No. 19 of 2020: [Cybercrimes Act, 2020](#), Schedule, Section 58.

104. Republic of South Africa. (2007). [Criminal Law Amendment \(Sexual Offences and Related Matters\) Act No. 32 of 2007](#), Section 54(4)(a), as amended by [Act No. 19 of 2020: Cybercrimes Act, 2020](#), Schedule, Section 58.

3.1 FORMAL REPORTING MECHANISMS

3.1.2 Child Helplines and hotlines

Child Helplines and CSAM Hotlines: What is the Difference?

The channels through which children and adults can report cases of OCSEA include CSAM hotlines and child helplines. CSAM hotlines focus on working with industry and law enforcement agencies to take down content, and they are now more often accessible online than by phone. The child helplines provide immediate crisis support, referrals, and ongoing counselling and case management services; they generally tend to respond to a broader range of child protection concerns, though some focus specifically on OCSEA.

The Childline South Africa helpline

Another way in which OCSEA cases can be reported is through the Childline South Africa helpline. Established in response to high levels of child sexual abuse in the country, Childline South Africa (a member of Child Helpline International) has provided 24/7 toll-free professional phone counselling and information services for children since 1983.¹⁰⁵ Childline South Africa has also recently integrated Asele into their systems – a customisable, open-source, contact centre platform – which allows children and young people to reach out to helplines through multiple channels including phone calls, SMS, webchat, WhatsApp, and Facebook Messenger. In addition to phone counselling and information services, their support services include online counselling services, which also cater to children with speech and hearing disabilities. As seen in Figure 40, Childline South Africa received more than 266,362 calls in 2018/2019, 217,408 in 2019/2020, and 348,408 calls in 2020/2021.

Figure 40: Total number of calls received by Childline South Africa between in the financial years¹⁰⁶ 2018–2019, 2019–2020, and 2020–2021.

	April 2018 – March 2019	April 2019 – March 2020	April 2020 – March 2021
Total number of calls received	266,362	217,408	348,408
Number of responsive calls	114,211	97,812	160,371

Source: [Childline South Africa](#) reports

Females called Childline South Africa nearly twice as often as males between 2018 and 2020. In 2020–2021, the gender distribution was more equal.¹⁰⁷

In 2018–2019 and 2019–2020, the three main reasons children reached out to the helplines were to seek information on services and resources (30% of the calls), to report a case of abuse (22%), and to report neglect (10%). Between April 2020 and March 2021, the most common reasons for contacting the helpline included physical health issues (36% of calls), seeking information on services and resources (29%), and reporting abuse (11%). In the online chat channels, abuse and neglect were among the top reasons for contacting Childline South Africa.¹⁰⁸

In addition, Child Helpline International provided information regarding the number of contacts made to Childline South Africa regarding OCSEA (Figure 41).

Figure 41: Number of contacts received by Childline South Africa regarding OCSEA from 2017 to 2019.

	2017	2018	2019
Number of contacts made to Childline South Africa regarding OCSEA	0	18	37

105. [Childline South Africa](#).

106. Financial year: April to March.

107. [Childline South Africa](#). (n.d.). [AGM Reports](#).

108. [Childline South Africa](#). (n.d.). [AGM Reports](#).

Childline South Africa reported to Child Helpline International that they received zero contacts in 2017, 18 contacts in 2018, and 37 contacts in 2019 concerning OCSEA.¹⁰⁹ All the contacts in 2018 related to exposure to adult pornography. Of the contacts in 2019, a large majority (86%) concerned online sexual abuse of a girl, defined by Child Helpline International under a new classification as grooming and CSAM-related activity without an element of exchange.¹¹⁰

The statistics above are important to identify patterns over time with regard to the volume of cases received and reasons for contacting the helpline. However, further research is needed to provide an accurate reflection of any underlying issues or needs both for helplines and for the children or other individuals who contact them for support.

Hotline to report CSAM

South Africa's Film and Publication Board is mandated to protect children from sexual exploitation in terms of media content. CSAM can be reported on the Board's website, which serves as a national hotline.¹¹¹ It is a member of INHOPE, a network of 47 hotlines worldwide that aims to quickly remove CSAM from the internet. No data on reports being received by the hotline was obtained.

109. 2017 data submission confirmed by CHI, November 2020.

110. In 2019, CHI simplified its data framework to improve the quality and reliability of the data collected and reported by child helplines. Data was reported under nine sub-categories in 2017 and 2018, and two sub-categories in 2019.

111. The South Africa's Film and Publication Board reporting site may be found at [FPB - Film and Publication Board](#).

3.2 LAW ENFORCEMENT RESPONSE

This section focuses on the capabilities of local law enforcement to prevent and respond to cases of OCSEA in South Africa and is primarily based on the interviews conducted by INTERPOL with law enforcement units. Findings are complemented by data from interviews with government representatives, frontline social support workers, and relevant criminal justice professionals.

Organisational structure and resources

The police in South Africa have several specialised units, including the Family Violence, Child Protection, and Sexual Offences units, whose mandate is to investigate sexual and physical abuse against children. Each Family Violence, Child Protection, and Sexual Offences unit supports between four and nine police service areas. The Serial and Electronic Crimes Investigation Unit sits within the Family Violence, Child Protection, and Sexual Offences Unit, and specialises in the investigation of OCSEA. Of the nine provinces in South Africa, four have a dedicated Serial and Electronic Crimes Investigation unit. All mentioned units are under the Director of Criminal Investigations, the South African Police Service, and the governance arrangements.

As a result of the serious and explicit nature of the cases investigated by the Family Violence, Child Protection, and Sexual Offences unit and the Serial and Electronic Crimes Investigation unit, officers are not held to any minimum time-in-position requirements and are able to change units when they request to do so. A pattern mentioned by many professionals was the loss of specialist personnel to the private sector, where income is higher. A representative of the Department of Justice noted this ‘brain drain’ is particularly true for highly trained personnel, such as those working in forensics. (RA1-SA-09-A)

Interviewees took the view that there is productive resource sharing between the Serial and Electronic Crimes Investigation and cybercrime units, with the cybercrime units assisting in the identification and tracking of offenders. The Family Violence, Child Protection and Sexual Offences units investigate all crimes committed against children and, in assistance of social workers, also remove children to places of safety for their protection. Governmental representatives were familiar with these specialist units and noted that these units were overburdened.

Investigative and operational capacity

South African legislation provides for investigative capacity, including proactive and covert investigations. Cybercrime units have built capacity to proactively investigate online crimes and are the only officers able to conduct open-source intelligence and web monitoring. Outcomes from their enquiries are reported to the Sexual Offences and Serial and Electronic Crimes Investigation units. Prior to commencing proactive or covert investigations, officers from the cybercrime units must first apply for a court order that allows them to intercept communications or conduct covert activities.



The Serial and Electronic Crimes Investigation Unit sits within the Family Violence, Child Protection, and Sexual Offences Unit, and specialises in the investigation of OCSEA.



The Critical Role of Proactive Investigations

Rather than waiting for reports and/or referrals, one of the public prosecutors interviewed was of the opinion that law enforcement should take a more proactive stance on OCSEA. This same justice professional suggested that proactive OCSEA investigations have the potential to create a cascading effect through which more victims and more cases are brought to the attention of law enforcement.

Additionally, a stronger emphasis on proactive approaches to investigations could have a profoundly positive impact on how OCSEA cases are handled in court. One legal expert explained the impact law enforcement can have: *"We follow the rule of law. We follow all procedures, following the law of evidence. And then when we go to court, the accused has no option but to plead guilty."* (RA4-J-SA-05-A) Through proactive investigations in OCSEA cases, law enforcement has the ability to provide physical documentation of the crime (the images themselves), resulting in defendants entering a guilty plea and subsequently sparing survivors the need to testify.

The involvement of South Africa police in prevention and awareness-raising campaigns was posited by some interviewees as a way of being proactive. When asked about prevention/awareness-raising campaigns and if the police were involved in such activities one respondent said: *"I am not aware of this. I have not seen much done. Here in South Africa we are reactive. More of this [awareness raising] should be done. This is necessary. This is how we find other offenders."* (RA4-J-SA-05-A)

Officers from cybercrime units are equipped with forensic tools to capture digital evidence. Approximately 90% of the units' evidence comes from open-source intelligence, which is used to target people who abuse children online, and those who attempt to exchange child abuse material or locate other like-minded offenders. Agents from U.S. Homeland Security and the FBI also provide support and investigative leads to officers of the Serial and Electronic Crimes Investigation units through established collaboration.

When an offender is located, officers apply at court for a search and seizure warrant. This allows them to enter the home and/or workplace of the offender. The search and seizure warrant also allows officers to access electronic equipment at the location; however, as one colonel shared: *"[OCSEA] is normally stored on an external device"*, which may further complicate matters of search and seizure. (RA1-SA-01-A) Seized devices are transported to the cybercrime units for data extraction and download. According to South African law, any device that contains CSAM cannot be returned to the owner. The court makes an order that the device be forfeited to the state and it is forensically formatted and destroyed.

Some interviewees, including representatives from the Family Violence, Child Protection, and Sexual Offences unit and the National Prosecuting Authority, took the view that anonymous reports are difficult to follow up as police have a hard time obtaining a search warrant based on such allegations. (RA1-SA-01-A, RA1-SA-04-A)

Officers conducting financial investigations in South Africa apply for a court order that is served on financial institutions, who then provide information to the police. The Serial and Electronic Crimes Investigation Units have no capacity to investigate foreign nationals.

The lack of sufficient resources, both in terms of personnel and hardware, was noted by some interviewees. (RA4-J-SA-06-A, RA4-J-SA-07-A, RA4-J-SA-10-A) One example was the need for *"transportation and fuel, as sometimes it is necessary to drive through the night to get to a victim."* (RA4-J-SA-03-A, Cause for Justice) One interviewee was of the opinion that the lack of adequate staff might result in *"Friday night crime [reporting] get[ting] dealt with Monday morning."* (RA4-J-SA-03-A, Cause for Justice)

3.2 LAW ENFORCEMENT RESPONSE

Training and development

Police officers that are recruited as detectives undergo a three-month training course, during which they study laws and all aspects of investigations necessary to compile a criminal case docket for court. Officers in the Family Violence, Child Protection, and Sexual Offences Services units undertake a mandatory three-month course on investigating cases of violence and abuse. Most of the officers in the Serial and Electronic Crimes Investigation units are trained in general investigations of OCSEA and have received OCSEA and victim identification training.

While there is no structured training for officers in the Serial and Electronic Crimes Investigation units, there are in-house training events delivered by officers within the unit who have undergone training by external organisations, such as Kids Internet Safety Alliance, Facebook, International Law Enforcement Academy Botswana, and Canadian, British, and American law enforcement agencies. These officers received training in investigating online child exploitation, IP tracing, locating offenders and victims online, and accessing the dark web. Serial and Electronic Crimes Investigation unit officers also cross-train the Family Violence, Child Protection, and Sexual Offences units in online child sexual exploitation and abuse investigations. South African law enforcement noted that officers who are assigned to OCSEA cases are required to have a certain amount of previous experience in CSEA, meaning that officers working on OCSEA are very experienced and capable of detecting and documenting multiple charges in OCSEA cases.

During interviews with governmental representatives, several suggestions for improving law enforcement training were put forward by respondents. Some respondents shared the view that the training noted above is opportunistically arranged rather than systematically applied. Others took the view that there is a current need, not only for good quality training, but also for continual training programmes to keep law enforcement up-to-date on the latest developments and trends regarding “*advances in technology*” (RA1-SA-01-A) and OCSEA. A member of the South African Police Service noted that sometimes “*the training provided in-house by SAPS [South African Police Service] is ‘not adequate.’*” (RA1-SA-01-A)

Additionally, one interviewee suggested incorporating training that advocates for “*a more people-centred approach.*” (RA1-SA-05-A)

In the survey of frontline workers, 24 out of 49 respondents said that they believed that law enforcement’s awareness of OCSEA crimes was poor, while 10 respondents rated it as fair. One frontline worker noted that “*the police still do not take OCSEA as a serious crime and there is a lack of political will to raise awareness and put more funding towards addressing the issue.*” (RA3-SA-25-A) A representative from the Family Violence, Child Protection and Sexual Offences unit was of the opinion that “*you need people equipped to deal with children, you can’t just send anyone in. We have brilliant people, but then again, we have people who do not have a clue how to take a child’s statement and or how to deal with the child.*” (RA4-J-SA-04-A)

From a trained personnel perspective, some interviewees reflected on the high staff turnover. Some respondents took the view that this occurred because the most highly skilled individuals from the technology field, such as those within the South African Police Service, tend to move to the private sector. For example, some government representatives interviewed shared the opinion that, once individuals in the cybercrime unit gain enough experience and distinguish themselves, the private sector offers them better paid positions that are difficult to compete with. A representative from the Department of Justice stated: “*They don’t stay [...], online crime is very specialised issue and police don’t have enough knowledge about this. Their pay is not enough and we lose specialised people to private industry.*” (RA1-SA-09-A) To address this turnover, a senior public prosecutor suggested that “*persons with a talent should be identified in police college and a career path mapped out for them. This does not happen. Law enforcement is too generalist and the offenders are too specialist.*” (RA4-J-SA-08-A) This respondent further added: “*In the non-governmental organisations, you have far greater specialisation than in the SAPS. If SAPS wants to address organised crime, for example, [OCSEA], there has to be specialisation.*” (RA4-J-SA-08-A)

Equipment and collection of evidence

Family Violence, Child Protection, and Sexual Offences Services and the Serial and Electronic Crimes Investigation units have limited equipment available, with only office space and computers being provided. Any other specialised equipment needed for OCSEA investigations is only available to the cybercrime units. The critical need for *“a properly equipped and trained cybercrime unit”* was noted by one of the government interviewees. (RA4-J-SA-09-A)

The South African Police Service applies for a yearly budget that includes provisions for vehicles, stationery, and cell phones. There is no specific funding for CSEA and OCSEA investigations. The Legal Aid representative suggested that *“the procurement section of the police must come on board to assist with the provision of resources.”* (RA4-J-SA-06-A) Overall, this lack of adequate resources to address OCSEA can be harmful to investigations due to the technical complexity and possible need for international collaboration in these types of crimes. One prosecutor noted: *“There has been the acquisition of special equipment, where it has been properly motivated.”*¹¹² (RA4-J-SA-08-A)

Discussion on child-friendly procedures

The majority of police stations in South Africa have Victim Empowerment centres. These facilities comprise an office/lounge space, a kitchen, and a bathroom. When a victim reports to the police station, they are taken to these facilities and a police officer assists in ensuring the victim is comfortable and feeling safe, before contacting an investigating officer from the Family Violence, Child Protection, and Sexual Offences Services or the Serial and Electronic Crimes Investigation units who interview and obtain the victim’s statement. The facilities are child friendly and are decorated with toys, snacks, clean underwear, and a gift pack for child victims. As the Family Violence, Child Protection, and Sexual Offences Services and the Serial and Electronic Crimes Investigation units are not located at police stations, officers either use the Victim Empowerment centres, or meet victims in the unit’s office or at the victim’s home.

Officers from both units are trained in victim centric approaches, including how to interview a child and/or a victim of a sexual offence, and are focused on the best interests of the child.

While these victim-centred measures are in place, a forensic psychologist interviewed took the view that the interview process that children go through is potentially traumatising as it can involve multiple interviews that may cause stress on the child or have a negative impact on cases in court: *“Seven interviews is almost usual... at the police station, then at the Family Violence, Child Protection and Sexual Offences Units for the first time, then sometimes a second time, plus the medical exam, etc.”* (RA4-SA-01-A) Beyond the impact it could have on a child’s well-being, a multi-interview process and the stress it subsequently causes may result in what the psychologist called *“contamination”* or variations of the child’s original statement, hurting their credibility in court. (RA4-SA-01-A)

Some interviewees also felt that the multi-interview process fuels negative aspects of how law enforcement and victims of OCSEA interact with each other. Police were reported making comments to children such as *“you can’t say that – it is not in your original statement.”* (RA4-SA-01-A) A legal expert voiced their frustration at law enforcement’s interactions with children, commenting on *“the inability of the police to deal with these cases”* and how this has led to a substantial block to effective access to justice for children. (RA4-J-SA-06-A)

Psycho-social support for law enforcement

Officers do not receive any psychological support. If required, an officer could access their medical aid, which would cover the cost of psychologist fees, but the interviewed officers felt this was not sufficient. Some officers also reported that, due to a busy work and home life, they did not have the capacity to access any support. In the interviews with governmental representatives, one law enforcement specialist indicated the difficulties in assisting officers who were stressed by CSAM. One officer noted that debriefings were offered only twice a year by the government and even then, finding time for debriefing was viewed as a challenge. (RA1-SA-01-A)

112. “Motivated” here means the formal documents submitted with an explanation as to why something is necessary and a concrete description as to why and how a piece of equipment is critical to doing a job.

3.2 LAW ENFORCEMENT RESPONSE

Collaboration with other law enforcement and government entities

There is a good working relationship between investigators and prosecutors. The Serial and Electronic Crimes Investigation unit works alongside the Department of Public Prosecution, the National Prosecuting Authority, and senior state prosecutors for legal advice on OCSEA. The police have documented standard operating procedures that detail a step-by-step process for investigations relating to children.

Domestic collaboration: Cooperation between domestic law enforcement agencies was described by one representative from the National Prosecuting Authority as being positive. (RA1-SA-04-A) However, some government representatives suggested in their interviews that a lack of general awareness of the different specialised units within the South African police relevant to OCSEA has caused duplication of efforts and unclear protocols.

Opinions regarding collaboration between domestic law enforcement and other governmental agencies varied. One law enforcement officer interviewed stated that, in their experience, they had never received referrals from the Films and Publications Board toll-free line, but the Board does help law enforcement determine the age of the child in CSAM. The officer noted that reports from the Films and Publications Board are high quality but take a long time. (RA1-SA-01-A) A representative from the Children's Institute indicated that law enforcement also works with the Department of Social Development, but it was noted that communication between them is not transparent. (RA1-SA-03-A)

International collaboration: Agents from Homeland Security and FBI provide support and investigative leads to officers from the Serial and Electronic Crimes Investigation units. Governmental representatives praised law enforcement's interactions with INTERPOL and overseas law enforcement agencies. The South African police have engaged with the INTERPOL Crimes against Children Unit regarding connection to the INTERPOL International Child Sexual Exploitation database and are continuing to address the technical and organisational requirements for a connection and formal training.

For overseas law enforcement collaboration, interactions with the United States, United Kingdom, and the European Union were detailed and seen in a positive light. (RA1-SA-04-A) As mentioned above, collaboration exists both on case investigations and on training. One law enforcement officer noted: *"The specialist serial and electronic crimes investigation unit did have an FBI training four years ago, on online exploitation and the dark net"* (RA1-SA-01-A) and that training received a positive review. (RA1-SA-01-A) However, it was also pointed out by an interviewee from the Children's Institute at the University of Cape Town that *"cooperation agreements are only as good as the people who have signed them."* (RA1-SA-03-A) A Principal State Law Advisor stated that, in recent years, these international collaborations have led to some successful prosecutions of high-profile cases. (RA1-SA-02-A)

As noted earlier, while some CyberTips from NCMEC are indeed being investigated by the South African Police Service, access is indirect via U.S. Homeland Security Investigations liaison officers. Interviews indicated that these liaison officers have provided excellent support in the past in dealing with NCMEC CyberTips; nonetheless, there is a need for South African law enforcement to directly receive and handle NCMEC CyberTips themselves, rather than working through the liaison officer. Doing so would allow greater visibility on the trends and threats indicated in the CyberTips and greater control over the procedures related to CyberTips in general.

3.3 OBTAINING JUSTICE AND ACCESS TO REMEDIES

This section includes information regarding court proceedings, compensation, and social support services in cases of OCSEA in South Africa's legal system, as reported by criminal justice professionals, frontline workers, and government representatives.

3.3.1 Court proceedings

OCSEA cases in court

As shown in [Figure 26](#), there were 147 OCSEA cases opened in 2017, 89 in 2018, and 89 in 2019 in South Africa. Out of those, 35% (n = 24) of the cases resulted in convictions in 2017, 37% (n = 42) in 2018, and 25% (n = 28) in 2019. The rate of conviction for those arrested (47% in 2017, 70% in 2018, and 48% in 2019) appears to be higher than that for persons arrested for the broader category of CSEA offences (16% in 2017 and 32% in 2018). It should be noted that reported and recorded cases of OCSEA are likely to represent a small proportion of actual cases and their characteristics cannot be taken to be representative of the phenomenon.

Despite the low number of OCSEA cases being investigated in South Africa, some justice professionals interviewed viewed the number of OCSEA cases in the legal system as growing. One prosecutor stated: *"It is growing and growing, with technology being part of the future. OCSEA is on the rise. So, the increase in the number of cases is a big challenge."* (RA4-J-SA-10-A) A representative from a Regional Magistrate's office estimated that *"sexual offences are about two thirds of the regional court's docket, and half of those involve children as victims. We are seeing more and more, mainly with cell phones and exchange of photos with the OCSEA cases."* (RA1-SA-09-A)

Government representatives and criminal justice professionals agreed in that one particular challenge related to OCSEA and the legal system is how long it takes for investigations and prosecutions to occur. One social worker held the same view and said that *"cases are postponed and postponed and we often 'walk with these cases' for up to two years."* (RA1-SA-06-A)

Some legal representatives held the view that some challenges with law enforcement and the nature of OCSEA contributed to the delays. For example, one legal representative explained that OCSEA involves digital evidence, which can increase the length of time required for processing (review and/or decrypt). The legal representative continued: *"Sometimes we wait up to a year. The Films and Publications Board also has to help us from time to time [with forensic examinations]."* (RA4-J-SA-06-A) The same representative described their experience with delays with the cybercrime units, stating that analysis is not always done promptly enough, which can extend these cases by up to a year. (RA4-J-SA-06-A) These delays were described as causing additional hardship on survivors. One law enforcement officer shared the view that the court systems also contribute to the delays: *"Every time the child is sitting there, nervous, only to find that the case is postponed again. Magistrates must put their foot down."* (RA4-J-SA-02-A)

OCSEA cases may also be assigned to one of the 106 Sexual Offences Courts throughout the country,^{113,114} if such a court is available in a particular location, putting them on an expedited schedule by taking them out of the general docket. OCSEA/child abuse/sexual offences can be prioritised on the general docket when a specialist court is not available.

Additionally, interviewees mentioned that there is reliance on private sector partners for certain investigative expertise. One senior prosecutor from the National Prosecuting Authority stated that when there is no in-house expertise on the technical side of the investigation, IT companies have assisted with investigations, but *"their fees are exorbitant"* (RA1-SA-04-A), though some IT professionals were prepared to donate their time and expertise and work for free. Companies may charge for this service, as they are not legally obligated to provide it.

113. Republic of South Africa. (2007). Criminal Law Amendment (Sexual Offences and Related Matters) Act No. 32 of 2007. Section 55 A inserted by Section 2 of [Act no.43 of 2013: Judicial Matters Second Amendment Act](#) and amended by Section 38 of [Act no. 8 of 2017: Judicial Matters Amendment Act](#).

114. Justice and Constitutional Development Republic of South Africa. (2020). [List of Regional Courts upgraded into Sexual Offences Courts \[106 Countrywide\]](#). (Last updated on 7 August 2020).

3.3 OBTAINING JUSTICE AND ACCESS TO REMEDIES

This raises concerns regarding equal treatment of cases in terms of the quality of the analysis, potential bias of the analyst, data protection concerns, and privacy rights of the victims. One participant put forward an idea regarding time limits or goals for analyses: *"Maybe a timeline should be set for cybercrime to do the analysis, like within six weeks. The quality of reports is poor, as we have lost many of our good analysts. Sometimes we even have secretaries writing the reports. They don't have the capacity to do the analysis properly. Training of the analysts is essential."* (RA4-J-SA-09-A)

Participation of children in court

In general, the justice professionals interviewed agreed that victims of OCSEA experience stress for various reasons during the legal process. One professional commented: *"Most fear for their lives as the offenders threaten to hurt them or their families."* (RA4-J-SA-06-A) Another professional stated that *"it is traumatic to expose children to the images."* (RA4-J-SA-09-A) One other point that was raised as causing stress during the legal process was the feeling of self-blame, especially in instances of self-generated material. One justice professional shared their view that *"the hardest part [for children] is their own complicity in the abuse, where they have taken the pictures."* (RA4-J-SA-09-A) It is important, however, that caregivers, professionals, and other adults always reassure children that they are never complicit in their own abuse.

OCSEA crimes have the potential to provide prosecutors with one important advantage in court proceedings: definitive and permanent evidence of the crime(s) that have been committed. Images or videos of the survivor being abused or exploited may serve to lessen (or even completely eradicate) the necessity of the survivor's testimony in court. A justice actor was of the opinion that *"in 99% of the cases, the images speak for themselves."* (RA4-J-SA-09-A) Avoiding the need for testimony from children could help reduce re-traumatisation. As one police captain put it: *"Children testifying in a criminal matter is hell, and I've seen breakdowns after court."* (RA4-J-SA-04-A)

Use of intermediaries for children

South Africa has been utilising an intermediary system in order to reduce re-traumatisation in court, which can occur for victims of abuse and/or exploitation. This system is meant to help children while maintaining the rights of an accused person, including the right to cross-examine a complainant. Allowing for a child to testify through an intermediary using a closed-circuit television, rather than in a formal courtroom setting, may help to relieve some of the stress of the justice process and ensure a fair trial.¹¹⁵ In one forensic psychologist's experience, *"teenagers always want to see the intermediary system. Not using this system sometimes inhibits child telling their story."* (RA4-SA-01-A)

The Criminal Procedure Act allows child witnesses to submit evidence through intermediaries.¹¹⁶ If a court appoints an intermediary, it may also allow the child witness to give their evidence at any place that puts them at ease and that enables the court and any other relevant person "to see and hear, either directly or through the medium of any electronic or other devices, that intermediary as well as that witness during his or her testimony."¹¹⁷ A prosecutor expressed their views on the critical role that intermediaries have in court: *"Children's evidence is not led in the open court; it is led by intermediaries. Social workers are readily available, the intermediaries are used as a conduit between the child and the court room. One must remember the child has already been violated. It has to be a child-friendly space."* (RA4-J-SA-10-A)

While the benefits of using intermediaries are clear, criminal justice professionals spoke about two challenges: high turnover of intermediaries, which causes delays in cases, and implementation issues. For example, some professionals said that a child's application for intermediaries can be refused (intermediaries must be requested by the prosecutor and are used at the discretion of the magistrate or judge¹¹⁸).¹¹⁹ Magistrates can also offer alternatives for older children, such as testifying by closed-circuit television without an intermediary.

115. Coughlan & R. Jarman. (2002). ["Can the intermediary system work for child victims of sexual abuse?"](#), Families in Society, vol.83, issue 5/6, New York, Alliance for Children & Family, p. 541.

116. Republic of South Africa. (1977). [Criminal Procedure Act No. 51 of 1977 \(as amended in 2013\)](#), Section 170A.

117. Republic of South Africa. (1977). [Criminal Procedure Act no. 51 of 1977](#), Section 170A (3).

118. Republic of South Africa. (1977). [Criminal Procedure Act No. 51 of 1977 \(as amended in 2013\)](#), Section 158.

119. Republic of South Africa. (1977). [Criminal Procedure Act No. 51 of 1977 \(as amended in 2013\)](#), Section 170A(7).

Creation of a child-friendly court

Along with intermediaries, there are other ways in which the courts in South Africa have evolved to accommodate children. One law enforcement captain mentioned how magistrates support children: *"If the children are in court, they [magistrates] try to do their best, they talk in an easier language. [...] Most of the times they try to explain things in a manner that the child will understand and make things calm for the child or easier for the child."* (RA4-J-SA-04-A) One justice actor said: *"Some prosecutors are passionate about their work, such as the prosecutors in the special sexual offences courts. There are judges and social workers who really care and know how to build a relationship with the child."* (RA4-J-SA-02-A) Another legal representative stated: *"We have very good court prep officers who will support the child in court and try to make it as child friendly as possible."* (RA4-J-SA-06-A) Another justice professional described court professionals all wearing normal clothes (rather than uniforms) during proceedings to create a friendlier atmosphere for the child. (RA4-J-SA-03-A)

In addition, it was noted by one justice actor that the availability of child-friendly court spaces is not consistent across the system: *"You have to be lucky where you go."* (RA4-SA-01-A) The availability of these safe spaces is critical for children in the legal system. As one professional further explained: *"A courtroom is a scary place."* (RA4-J-SA-03-A)

Multiple interviewees suggested various ways in which to create procedures that are more child friendly. For example, "vertical" investigations and prosecutions were viewed by some interviewees as a way in which to improve the situation for child victims and for the case itself. One psychologist stressed the importance of having the same professionals interacting with the child from the beginning to the end of the process, and having *"continuity of information [flow], which is even more important."* (RA4-SA-01-A) *"There is the need for a consistent person who takes the children through the whole process,"* said one police commander. (RA4-J-SA-02-A)

Overall, making the legal system process friendlier for victims could be improved. According to one interviewee: *"Changes to make the process more child friendly, and the professionals within the system more sensitive"* are already underway in courts in South Africa. (RA4-J-SA-07-A)

Lack of training and expertise

Some interviewees stressed that, in their view, there is a lack of personnel across the board that have the same level of knowledge and training: *"You get magistrates rotating out of the court who know how to deal with these matters to [be replaced by] someone who does not know what they are doing."* (RA4-J-SA-04-A) Additionally, the need for personnel to receive training not only on OCSEA as a subject matter, but also on self-care was emphasised. (RA4-J-SA-03-A) The stress these cases cause to the professionals who work them cannot be underestimated. (RA4-J-SA-02-A, RA4-J-SA-03-A)

Many legal professionals noted that there are efforts to increase training. One professional described how the Association of Regional Magistrates of South Africa offers annual training on a province-by-province basis to address sexual offenses, including OCSEA. Importantly, this training is said to include OCSEA and its latest trends. The professional stated: *"We do training all the time for the magistrates. All appointed magistrates at regional and district courts get extensive training on child abuse, grooming, child witnesses, and related topics, including electronic evidence. The South African Judicial Training Institute provides the training; it is provided by experienced magistrates and experts from specific fields. We have just redone our training for the year, and there are specific trainings on sexual offences and child sexual abuse material."* (RA1-SA-09-A) On the other hand, one justice actor said that the training mentioned in the Sexual Offences Act has not been rolled out yet, and was of the view that it would be better if this training was implemented and that *"there needs to be a focus on empathy and understanding."* (RA4-J-SA-09-A)

3.3 OBTAINING JUSTICE AND ACCESS TO REMEDIES

Another success noted by interviewees referred to OCSEA having been incorporated into existing child sexual abuse agendas. One example is the optional course encompassing OCSEA at the Justice College, although some respondents felt that the content of the court was too advanced, and certain participants were “left behind” because they had no prior experience with an OCSEA case. (RA4-J-SA-09-A) This underscores the need for course content to be tailored to the participants’ experience and knowledge level. Another example is the South African Judicial Education Institute, which now has a training course on online crimes against children, including OCSEA. Covering OCSEA in existing training courses increases awareness and understanding of it, and contributes to the growing availability and use of experts in trials to explain technical aspects of OCSEA and victim/offender behaviour.

3.3.2 Compensation

In the context of *Disrupting Harm*, the term compensation is used to refer to a monetary compensation for damages awarded to a victim in the context of criminal proceedings and/or civil action, paid by an offender pursuant to a court order or through a state-managed compensation fund.¹²⁰

The right of victims of OCSEA to access compensation is enshrined in the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution, and child pornography, which obligates state parties to “ensure that all child victims [...] have access to adequate procedures to seek, without discrimination, compensation for damages from those legally responsible”.¹²¹ While legal provisions on compensation for survivors of OCSEA do exist to a certain extent on paper in South Africa, the professionals interviewed said that, in their experience, children seldom receive compensation in practice.

Avenues for compensation

The provisions related to compensation for child victims of sexual exploitation in South Africa are specifically dealt with in relation to victims of trafficking solely, and provided for in the Prevention and Combating of Trafficking in Persons Act. The act states that victims of trafficking for the purposes of sexual exploitation, including online, are entitled to compensation from a convicted trafficker at the discretion of a court or at the request of the complainant or a prosecutor.¹²² Therefore, child victims of OCSEA crimes that did not happen in the context of trafficking do not have the possibility of seeking compensation in civil or criminal proceedings from convicted offenders. In addition, there is no country-managed compensation fund for victims of OCSEA.

While no specific avenue for seeking compensation through civil action was identified in the analysis of the South African legislation, interviews with government representatives indicated that, for sexual abuse, whether online or offline, a civil action by the victim may be instituted, and that compensation may include the costs of medical attention, loss of earnings,¹²³ immediate and long-term emotional damages, and psychiatric and/or psychological intervention and care. One prosecutor stated that the criminal justice system was not involved in compensation claims; rather that this would be a private (civil) matter. (RA4-J-SA-07-A) However, the same prosecutor stated: “*There are cases where we [prosecutors] try and obtain compensation for victims for medical bills as part of sentencing. This would be part of the sentencing processes but is not used enough. If offenders go to prison, there is no compensation order.*” (RA4-J-SA-07-A)

120. ECPAT international. (2017, May). [Barriers to compensation for child victims of sexual exploitation](#). 13,14.

121. UN General Assembly (2000). [Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography](#). A/RES/54/263 of 25 May 2000. Art. 9(4).

122. Republic of South Africa. (2013). [Act No. 7 of 2013: Prevention and Combating of Trafficking in Persons Act](#), Section 29.

123. This would usually be on the victim’s family’s behalf, due to taking time off for medical and other critical appointments.

Availability of compensation

When asked about the availability of compensation for victims, one legal representative said: *"We have never had any incidents where there is compensation for victims. There should be compensation as this crime affects children for the rest of their lives."* (RA4-J-SA-05-A) Another took the view that, at the very least, there *"should be compensation for medical costs and trauma counselling, although the quantum of damages is more difficult to prove."* (RA4-J-SA-03-A) One law enforcement officer was of the opinion that, even if compensation is theoretically available in a given case, *"they [the victim/victim's family] need to have a very good case in order to claim something like that."* (RA4-J-SA-04-A) This echoes the statements from other professionals about damages being difficult to quantify.

The same law enforcement officer further elaborated, saying: *"I've never heard of it [receiving compensation], it's never been an option, but it is something that they [victims and their families] can look into."* (RA4-J-SA-04-A) This suggests that responsibility may be placed on survivors and their families, something that could result in additional stress for victims. The officer also added that, while her work might allow for compensation claims, *"I avoid those things. I don't deal with that. How do you compensate someone for their emotional trauma. I can't deal with that."* (RA4-J-SA-04-A) If knowledgeable and responsible individuals fail to assist victims in this crucial way, even if it is related to emotional distress, it deprives the child of an avenue that could enable further access to support services that are helpful in recovery.

3.3.3 Social support services for children

Much like compensation, the availability and quality of social support services for survivors of OCSEA were considered significant challenges by the professionals interviewed.

Availability of social support services

Legal experts indicated: *"With any sexual exploitation, there are 24-hour services to deal with victims"* (RA4-J-SA-07-A); however, interviewees were not aware of the services available exclusively for OCSEA victims. (RA4-J-SA-06-A) A survey of frontline workers reiterated this fact, with 34 of the 49 workers agreeing that there were no services available for children that had been subjected to OCSEA.

One governmental worker stated: *"There are not a lot of organisations that specialise in rendering support with regards to OCSEA."* (RA3-SA-49-A) Nevertheless, many criminal justice professionals noted several organisations and non-governmental organisations that offer counselling services, including the Thuthuzela Care Centres, Open Door, Bobby Bear, and Childline South Africa.

The Thuthuzela Care Centres, in particular, were singled out by interviewees as being a well-known resource for victims. A prosecutor described the centres as follows: *"Counselling is offered to victims and there are protocols in place at the Thuthuzela Care Centres, so there is psycho-social care, medical services, and later witness support and preparation."* (RA4-J-SA-10-A)

Moreover, forensic interviewing and court preparation services were mentioned by interviewees as services that could be provided by some organisations to help children. One legal expert said: *"Normally, they [children] would not testify, but if they do, they are prepared and have forensic interviews."* (RA4-J-SA-06-A) Another legal professional viewed these preparation services as being important and described the *"fear of the unknown"* (referring to testifying in court) as a major stressor for children that could be mitigated through these services. (RA4-J-SA-07-A)

In contrast, one law enforcement professional thought that the availability of social services was insufficient, stating: *"When it comes to therapy you will have to go to the Department of Social Development and the Thuthuzelas and rely on them for [providing] therapy, but availability is an issue."* (RA4-J-SA-04-A) This same issue was reflected in the survey of frontline workers, wherein the availability of a wide range of services (medical, psychological, legal, and reintegration) was predominately rated as 'poor' by respondents. The availability of legal services was the only support service that had a sizeable ranking of 'fair' (19 ranked it as 'fair' in comparison to 18 who ranked it as 'poor'). The social services children receive may include statutory services, but the majority of children never receive therapeutic services.

3.3 OBTAINING JUSTICE AND ACCESS TO REMEDIES

Conversations with 33 survivors across the *Disrupting Harm* countries pointed to the importance of talking to social support workers. For example, one survivor from Kenya spoke about how learning about the similar experiences of others helped her in the healing process: *"I told her everything and she told me that I wasn't the first person and that it was almost normal nowadays and most of the youth have encountered the same. She encouraged me to talk face-to-face... The more I attended the more I heard others and I started feeling like I am healing inside and outside, and I felt like I was healing and listened to other survivor stories."*

(RA5-KY-02-A, Survivor, Kenya)

Other perceived challenges regarding the availability of social support services included the location and cost of services, and language barriers.

Services concentrated in urban areas: Forty-one out of 49 frontline professionals felt that the availability of support services (psychological, legal, medical, and reintegration) was low due to the fact that services in South Africa were concentrated in urban areas. One police officer elaborated by explaining that having to take children long distances for assessments by social workers was seen as unhelpful: *"This [the distance] impacts on the child's cooperation."* (RA4-J-SA-02-A) Another frontline professional also explained that child's cooperation is negatively affected by *"waiting the whole day at clinics, travelling long distances,"* and that police do not have vehicles available to assist children. (RA3-SA-24-A) Additional information obtained through consultations with non-governmental organisations suggests that, while the social services children receive may include statutory services, the majority of children do not receive therapeutic services. Even in urban areas, organisations working in the child protection sector have long waiting lists for therapy.

Cost of services: Thirty-five of the 49 frontline professionals surveyed agreed that the cost of services was a key barrier for children trying to access support. One frontline worker held the opinion that *"sometimes parents are not available to carry on with the healing and recovering process. There are few organisations that are free of charge, and they are also struggling. Government is not funding enough organisations to assist."* (RA3-SA-28-A)

Language barriers: It should be noted that there are 11 official languages in South Africa.¹²⁴ Police officers explained that challenges faced by children who are not fluent in English or Afrikaans as they enter South Africa's criminal legal system are an important consideration to access to justice. (RA4-J-SA-02-A) In particular, one law enforcement officer mentioned a shortage of Xhosa-speaking forensic social workers. (RA4-J-SA-02-A)

Quality of social support services

In the survey of frontline workers, the poor quality of services was mentioned by 30 of the 49 frontline workers as a factor influencing the reporting of OCSEA. Of all categories of support services, reintegration services were rated the lowest in terms of availability and quality. One government representative suggested that there is a low level of knowledge about child abuse and exploitation dynamics among social service professionals, who do not have the necessary skills or training to deal with online abuse. (RA1-SA-03-A)

Within the context of professional training, one social worker suggested that *"there needs to be case studies – looking at real cases that were dealt with and what should be dealt with differently. We need to see things through the eyes of the child."* (RA1-SA-06-A) A representative from the National Prosecution Authority also suggested: *"We need to upgrade the skill of therapists by 100 percent, as with all other role-players. We need to take control of those who are responsible for safeguarding. We need to ensure the child becomes functional."* (RA4-J-SA-08-A)

124. Sepedi, Sesotho, Setswana, siSwati, Tshivenda, Xitsonga, Afrikaans, English, isiNdebele, isiXhosa and isiZulu

3.4 GOVERNMENT RESPONSE TO ONLINE CHILD SEXUAL EXPLOITATION AND ABUSE

Interviews with governmental representatives noted that the following groups play a role in responding to OCSEA in South Africa: the Department of Social Development; the Department of Justice; the Department of Basic Education; the Films and Publications Board; the Department of Health; the Department of Communications; the Department of Women and Children; and Home Affairs for cross border cases. While this list suggests great potential for a comprehensive governmental response to OCSEA, several governmental representatives described varying levels of success and persisting challenges. This section examines the roles of those ministries/agencies and identifies challenges and promising practices they face when responding to crimes of this nature.

3.4.1 From legislation/policy to implementation

Despite the issues raised by some research participants regarding fragmentation and developmental challenges, South Africa was described as being ahead of many countries in the region in terms of OCSEA-related law and policy development overall. It was the *implementation* of current laws and policies that was underscored as a major stumbling block by various government representatives. (RA1-SA-03-A, RA1-SA-07-A) This sentiment was shared by several professionals, including legal experts, social workers, and representatives of non-governmental organisations. (RA1-SA-07-A, RA4-J-SA-03-A, RA4-J-SA-06-A) As one legal representative put it: *“The law is only a piece of paper if not properly implemented.”* (RA1-SA-02-A)

One possible explanation for insufficient implementation of OCSEA-related legislation/policy is the ever-evolving nature of OCSEA. One representative from the Department of Justice took the view that *“things are developing so quickly that we will never be able to keep up with it. By the time it is enacted, it is already out of date.”* (RA1-SA-09-A) It must be noted that no interviewee was aware of any overarching government policies, such as the National E-Strategy, the E-Government Strategy and Roadmap, or the Cyber Inspectorate. Interviewees were of the opinion that, while these policies may look good on paper, there was no evidence of them having practical impact in the fight against OCSEA.

While training is provided to professionals on specific legislation, some interviewees were of the view that broader training focused on the relevant legislation was needed. The example given by a representative of the Department of Social Development was that *“social workers were only trained on the Children’s Act.”* (RA1-SA-07-A) The lack of cross-referencing key pieces of legislation, and the fact that key pieces of legislation are found in multiple acts, was seen by interviewees as an obstacle to using the existing laws to their best advantage.

Lastly, it was repeatedly stressed by participants that OCSEA is just one element of child abuse and should be seen in that context. Without seeing it as simply one facet of a greater problem, responding to it will be harder and less effective. It was also noted that children should be consulted more often in developing law and policy (RA1-SA-10-A), as they are well placed to know the vulnerabilities of their peers and the dynamics of those who have tried to target them for exploitation. However, it should be noted that, while consulting with children in a meaningful way is crucial, it must always be conducted in a manner that is ethical, with conversations that are appropriate for the children’s age and stage of development, and with safeguarding procedures put in place.

3.4 GOVERNMENT RESPONSE TO ONLINE CHILD SEXUAL EXPLOITATION AND ABUSE

3.4.2 Lack of clarity and coordination in roles

It was noted by numerous governmental representatives that, while all organisations are actively working on OCSEA issues, there is lack of clarity regarding their individual roles and coordination, which results in duplication of efforts. (RA1-SA-08-A) In the view of one government representative, this can lead to government agencies “*pass[ing] the buck*” (RA1-SA-10-A), with no one organisation taking full charge of leading or coordinating action or policy.

Within government departments, interagency cooperation was raised as a concern by a representative from the National Prosecution Authority: “*One of the things that has frustrated me is that there are silos, and as much as we sit around the table, people just go back to their offices and do their own thing.*” (RA4-J-SA-08-A) Currently, the Department of Social Development was said to be the coordinating body for child protection. (RA1-SA-03-A)

The need for more training: Some interviewees felt that there was a lack of knowledge and a need for more training. However, as one government representative put it: “*Training is a moving target*” (RA1-SA-08-A), indicating how the changing nature of OCSEA impedes progress in this area. As the variety of OCSEA crimes continues to expand and evolve, police, prosecutors, social services, and legislators are left struggling to keep up. Issues such as sexual extortion and self-generated sexual content involving children were given as examples by some of the government officials interviewed. As a representative from the Department of Education stated: “*Predators are 10 times ahead in figuring out how to get to children.*” (RA1-SA-08-A) Many recommended on-going training regarding OCSEA for all professionals linked to the criminal justice system.

Government Efforts to Increase Awareness

While the perceptions of the 49 frontline workers about government efforts to raise awareness were mixed, the representatives of the government noted several informative and educational measures that aim to increase awareness of OCSEA in South Africa.

National campaigns, such as *Child Protection Week*,¹²⁵ while not OCSEA focused, were mentioned by a representative of the Department of Social Development as including an OCSEA component (e.g., risk factors for OCSEA). (RA1-SA-07-A) One social service professional elaborated, stating that the Department of Social Development was involved in the efforts to include an online sexual exploitation component that touches on risk factors of OCSEA. (RA1-SA-07-A) It was believed that the training would focus on these risk factors of OCSEA and would be aimed towards both children and caregivers.

Similarly, UNICEF South Africa worked with the Department of Social Development to implement the 365 Days Child Protection Programme, a social mobilisation campaign that is promoting dialogue around violence against children in communities throughout the country. The new 365 Days Child Protection programme was mentioned by several participants in the *Disrupting Harm* national consultation as an example of encouraging dialogue regarding violence against children, including its online forms. Evaluation of the impact of such projects can be valuable for informing effective action.

Another initiative mentioned by interviewees was the *Safer Internet Day*,¹²⁶ organised by the Film and Publications Board. (RA1-SA-10-A) However, the research team could not find further information about this initiative.

125. *Child Protection Week*, a collaboration of the Department of Social Development and the civil society sector, has run since 1997 and aims to raise awareness of children’s rights under the South African Constitution. More information about this collaboration can be found [here](#) and [here](#).
126. This initiative originating UK was designed to encourage safe usage of technologies for children. More information about this awareness programme and the parent organisation (the UK Safe Internet Centre) can be found [here](#).

Furthermore, the non-profit organisation Childline South Africa, which works to protect children from violence and promote children's rights in South Africa, has created material that targets caregivers and religious leaders, such as "A handbook for grown-ups on how to protect children from sexual abuse on the internet" and "Protecting Children from Online Sexual Exploitation: A guide to action for religious leaders and communities."¹²⁷

A key issue raised by a representative of the Teddy Bear Foundation, which provides services to abused children, was that *"there are no established prevention programmes on online exploitation of children per se... [prevention] programmes do exist, but are not specific to online sexual exploitation of children."* (RA1-SA-05-A) This lack of programmes specifically targeting OCSEA was said to be due to the fact that OCSEA is not yet prioritised by the government or the community. One interviewee from the Department of Basic Education said that, in their view, when it comes to the prevention sphere, it is not *"taken seriously in a way that is effective."* (RA1-SA-08-A)

The Department of Social Development is reported to be in the process of developing the 'Framework for Programmes for Exploited Children', which will address CSAM, child sexual exploitation, child labour, and child trafficking, while focusing on prevention and early intervention. (RA4-J-SA-03-A) Providing education and awareness of OCSEA to children at a pre-school age was also suggested by a South African Police Service Captain, who said: *"I believe that it should now be targeted at pre-primary [age six]."* (RA4-J-SA-04-A)

When it comes to including sex education in school programmes (such as *Life Skills*¹²⁸), a representative from the Department of Basic Education described the potential difficulty in ensuring caregivers and teachers are comfortable discussing topics relating to sex and sexuality: *"The resistance to sexuality education has amazed us. Maybe the country still feels it's not appropriate."* (RA1-SA-08-A) Another justice professional noted there had been a pushback by conservative voices against the introduction of sexual education materials into school curriculums. (RA4-SA-01-A)

Many of the justice professionals advised pushing sex education and awareness programmes forward because, as one prosecutor explained, there is a need to *"alert everyone to what is happening, and make the means available to educate all; make people aware."* (RA4-J-SA-10-A) A representative from the Children's Institute at the University of Cape Town indicated that *"the value of these programmes depends on how they are taught and integrated"* and that the lack of consistency has meant that there are only pockets of knowledge on OCSEA within society. (RA1-SA-03-A) Findings from the household survey showed that 62% of 9-17-year-old internet users had received sex education.

Beyond the development and implementation of educational and awareness campaigns, many governmental representatives made calls for conducting additional research, and for tracking of OCSEA prevention efforts. One researcher stated: *"We need more research in this area. It's very limited in South Africa. We rely on information from other countries which is not always applicable."* (RA1-SA-10-A) Another important point was made regarding tracking national prevention and awareness efforts to preclude "reinventing the wheel" and ensuring the quality and impact of these awareness efforts are monitored.

127. Available online at <https://www.childlinesa.org.za/resource-center-category/protection-network/>.

128. Developed in 2017 by the Department of Basic Education, *Life Skills* is part of a national governmental policy aimed at providing sexuality education and access to sexual reproductive health services to children in grades 4-12. Click [here](#) to learn more.

3.4 GOVERNMENT RESPONSE TO ONLINE CHILD SEXUAL EXPLOITATION AND ABUSE

3.4.3 Limited budget and resources

Some of the interviewed government representatives were of the opinion that an insufficient budget and the lack of resources were key challenges in the efforts to address OCSEA (RA1-SA-06-A, RA1-SA-08-A), and stated that the budget for OCSEA is subsumed within the general child abuse or cybercrime allocations. Budgetary restrictions have resulted in a lack of internet connection in South African schools, making it more difficult to teach internet safety. One representative said that non-governmental organisations also need more monetary and personnel resources to address OCSEA. (RA1-SA-03-A)

The need for resources was noted by research participants, not just at the national level and provincial levels, but also at the municipal and district levels. (RA1-SA-06-A) Coordination of government responses, especially in rural areas, was seen as lacking by some, as was the absence of prevention/education materials for children and families in local languages (not English). *"I want to get to a point to translate these [prevention] messages into indigenous languages. We must have at least one indigenous language for each message,"* said a representative from the Department of Education. (RA1-SA-08-A)

COVID-19 and Response to OCSEA

The interviews with government representatives were conducted in 2020 during the COVID-19 pandemic. One notable challenge that was cited by participants was the impact of the pandemic on the risk of OCSEA and on the court and government's responses to OCSEA.

Impact on the risk of OCSEA

Research has shown that internet usage has increased by up to 50% in some parts of the world since the beginning of the COVID-19 pandemic.¹²⁹ Many *Disrupting Harm* interviewees viewed the pandemic as having impacted South Africa's population in several ways. Government representatives referred to online schooling and the general increase in other online activities as providing more opportunities, but also increasing the risk of OCSEA occurring. (RA1-SA-06-A) One social worker was of the opinion that *"children are online more and also seek contact with each other because of isolation."* (RA1-SA-07-A) However, with this belief of increased risk also came a renewed hope that more time online would raise the profile of OCSEA and subsequently increase the amount of focus that is placed on raising awareness by the government.

Impact on the courts

Some frontline workers and legal professionals noted the increase in their OCSEA caseload due to the pandemic. One frontline professional said there was a *"spike as a result of COVID-19."* (RA3-SA-36-A) In contrast, another frontline worker noted the opposite effect: *"Usually, my caseload is higher and I am able to meet with clients; however, due to the lockdown there have been some challenges."* (RA3-SA-29-A) Developing mechanisms to record the number of OCSEA cases seen by frontline professionals would help in better identifying patterns across time.

The court has been attempting to adapt to the pandemic in order to continue operations. A representative from the Department of Justice noted the increased availability of online options for court cases, which has impacted the ease at which children can testify: *"Getting hardware has been a problem historically, but COVID has enabled this."* (RA1-SA-09-A)

129. Global Partnership to End Violence Against Children, ITU, International Telecommunication Union, UNESCO, United Nations Educational, Scientific and Cultural Organization, UNICEF, United Nations Children's Fund, UNODC, United Nations Office on Drugs and Crime, WeProtect Global Alliance, WHO, World Health Organization, World Childhood Foundation. (2020). [COVID-19 and its implications for protecting children online](#).

Impact on government responses

It was noted that COVID-19 has positively affected the way in which the government handles OCSEA and interacts with other organisations. One specific example was the increased connection between government professionals and caregivers. A government representative stated that COVID has *“forced a change of approach. We used to focus on just the professionals, but COVID has pushed us to work more with parents and caregivers.”* (RA1-SA-10-A)

Another such example is the proactive stance that has arisen due to the pandemic: *“The Department of Education has sent out a request for every province to develop a plan for psycho-social support. There is a COVID-19 pathway plan.”* (RA1-SA-06-A) The creation of psycho-social support systems for victims is promising, especially because of *“the wave’ of OCSEA anticipated to come in the wake of COVID.”* (RA1-SA-09-A)

“

One of the things that has frustrated me is that there are silos, and as much as we sit around the table, people just go back to their offices and do their own thing.

RA4-J-SA-08-A

”

3.5 COORDINATION AND COLLABORATION

A multi-stakeholder approach, whereby the government coordinates and regulates collaboration, is crucial to preventing and responding to OCSEA. This section describes the role that non-government entities such as civil societies and Internet service providers have in combating OCSEA in South Africa.

3.5.1 Civil society and the government

Inclusion of non-governmental organisations into the response efforts by the government is critical to addressing OCSEA. One social worker said that working more closely with non-governmental organisations on OCSEA matters could also reduce any duplication of efforts. (RA1-SA-07-A) A legal advisor agreed with this view, but stated that there was a great need for more clarity as regards the roles and responsibilities of government versus non-governmental organisations. (RA1-SA-02-A)

The frontline workers surveyed had varying perceptions about the current level of cooperation between non-governmental organisations and government. This variation was also seen throughout the interviews with governmental representatives and criminal justice professionals. One professional held the view that there is an over reliance on non-governmental organisations to drive service delivery in the country with minimal funding from the government. However, one public prosecutor interviewed held a more positive view of the government- non-governmental organisations relationship, noting that *“Non-governmental organisations are extremely keen on cooperation... there is a heart of collaboration.”* (RA4-J-SA-08-A)

Several research participants made suggestions that could contribute towards strengthening collaboration across sectors. Firstly, one social worker mentioned that non-governmental organisations are not represented in networking and coordination bodies, as those were strictly restricted to governmental offices. (RA1-SA-06-A) Another consideration was the need for greater funding and support of non-governmental organisations by the government. (RA1-SA-03-A1)

One non-governmental organisation worker echoed this, saying: *“The non-governmental organisations they are really trying in making people knowledgeable about sexual exploitation in our communities, but they need support from the government institutions.”* (RA3-SA-41-A)

A governmental representative from the Department of Basic Education indicated that non-governmental organisations –government cooperation *“is a work in progress – both parties have seen the value in working together.”* (RA1-SA-08-A) The same representative was of the opinion that there is tough competition between non-governmental organisations to contribute, which has led to a waste of resources. (RA1-SA-08-A) This concern could be addressed if non-governmental organisations are integrated into government response networks.

3.5.2 Local Internet service providers and global platforms

Collaboration with Internet and mobile service providers and platforms is essential to investigate crimes and prevent the dissemination of CSAM. The legal requirements and practical procedures differ depending on whether the operators are South African or global.

Domestic Internet service providers

As of 1 December 2021, any electronic communication service provider that is aware or becomes aware that a CSAM-related offence is being committed using its electronic communication service or network has the duty to immediately report the offence to the police.¹³⁰ Such entities are further mandated to preserve any information that may be useful for the investigation.¹³¹ Lastly, electronic communication service providers are obliged to take all reasonable steps to prevent access to CSAM.¹³²

130. Republic of South Africa. (2007). *Criminal Law Amendment (Sexual Offences and Related Matters) Act No. 32 of 2007*, Section 54(4)(a), as amended by *Act No. 19 of 2020: Cybercrimes Act, 2020*, Schedule, Section 58.

131. Republic of South Africa. (2007). *Criminal Law Amendment (Sexual Offences and Related Matters) Act No. 32 of 2007*, Section 54(4)(b), as amended by *Act No. 19 of 2020: Cybercrimes Act, 2020*, Schedule, Section 58.

132. Republic of South Africa. (2007). *Criminal Law Amendment (Sexual Offences and Related Matters) Act No. 32 of 2007*, Section 54(4)(c), as amended by *Act No. 19 of 2020: Cybercrimes Act, 2020*, Schedule, Section 58.

Electronic communication service providers that do not respect these duties are liable to a fine not exceeding one million South African Rand (approximately the equivalent of US\$63,200) and/or to imprisonment for a period not exceeding five years.¹³³

As in the rest of this chapter, some of the findings described below are based on interviews with a limited sample of research participants who shared their views about collaborating with domestic Internet service providers and global platforms.

Evidence gathering: There were mixed perceptions among interviewees regarding the collaboration between domestic Internet service providers, global platforms, and government. This pointed to a need to conduct further research with industry players, including Internet service providers, social media platforms, and instant messaging apps, to further understand their awareness of OCSEA and the capacities and gaps they face in addressing it.

Some interviewees mentioned that the issuance of subpoenas results in good cooperation. While interviews with representatives from global platforms were not conducted as part of the *Disrupting Harm* research, one officer shared his perception of the cooperation between law enforcement, global platforms, and domestic Internet service providers: *“With Google and Facebook, we usually struggle to get information from them. For Internet service providers in South Africa we generally issue a subpoena and we get cooperation. It would be good to get quicker responses from Google and Facebook. Local Internet service providers are legally mandated to report child pornography.”* (RA1-SA-01-A) However, despite their legal obligation, in one legal representative’s experience, *“we never get referrals from [Internet] service providers and this is a serious concern as they are supposed to report.”* (RA4-J-SA-05-A) Without the help of Internet service providers in referring OCSEA cases to the appropriate authorities, victims of OCSEA are further impeded from accessing justice.

Removing/reporting CSAM: Although it does not establish a formal duty to block and take down any CSAM hosted on their networks, the Electronic Communications and Transaction Act establishes a take-down notification procedure for unlawful activity (without referring to OCSEA specifically)¹³⁴ and exempts the service providers from liability for hosting such data, even if they have acted expeditiously to remove and disable access to the data following a take-down notification.¹³⁵ A similar provision that establishes obligations for Internet service providers is contained in the Films and Publications Act, which requires providers that have knowledge of CSAM being hosted or distributed on their servers to prevent access to such material and report it to the police.¹³⁶ However, the wording of the provision does not refer to a mandatory duty to block or take down.

Global platforms

The Cybercrimes Act of 2020 includes among its provisions a set of rules to govern mutual legal assistance in relation to cybercrimes.¹³⁷ This includes procedures for data gathering by South African Internet service providers related to foreign request for assistance and cooperation, and procedures on how to request a foreign state to preserve/seize data relevant for an investigation from providers under their jurisdiction. However, the section of the Cybercrimes Act on mutual legal assistance was not included in those sections that commenced on 1 December 2021¹³⁸ and was consequently not in force as of March 2022.

The dedicated point of contact for the global platforms on OCSEA is the police’s Family Violence, Child Protection, and Sexual Offences unit.

133. Republic of South Africa. (2007). [Criminal Law Amendment \(Sexual Offences and Related Matters\) Act No. 32 of 2007](#), Section 56A (8), as amended by [Act No. 19 of 2020: Cybercrimes Act, 2020](#), Schedule, Section 58.

134. Republic of South Africa. (2002). [Electronic and Communications and Transactions Act No. 25 of 2002](#), Section 77.

135. Republic of South Africa. (2002). [Electronic and Communications and Transactions Act No. 25 of 2002](#), Section 75.

136. Republic of South Africa. (1996). [Films and Publications Act No. 65 of 1996](#), Article 27A.

137. Republic of South Africa. (2021, June 1). [Act No. 19 of 2020: Cybercrimes Act, 2020](#), Chapter 5.

138. Department of Justice and Constitutional Development. (2021, November 30). [Proclamation by the President of the Republic of South Africa. Commencement of certain sections of the Cybercrimes Act of 2020.](#)

3.5 COORDINATION AND COLLABORATION

The perception of the relationship between global platforms and government varied. For example, one prosecutor noted difficulties with global social media platforms, stating that they did not respond to investigative enquiries despite having an office in South Africa. (RA1-SA-11-A) However, testimonies of other interviewees show that collaboration between South Africa law enforcement and global platforms does exist.

Additionally, as mentioned in [chapter 3.2](#), companies such as Facebook provide training to officers from the Serial and Electronic Crimes Investigation units and to prosecutors on how to request data from global platforms. The available transparency data (see the box below) and the fact that over 90% of CyberTips submitted to NCMEC concerning OCSEA in South Africa were referred from Facebook indicate that global platforms do take steps aimed at responding to OCSEA on a country level.

Promising Initiatives

The following initiatives were described by stakeholders interviewed for *Disrupting Harm* as being current programmes with potential to address OCSEA in the country. It is not clear whether these programmes have been evaluated for impact at this stage.

- **Web Rangers:**¹³⁹ Developed by Google, Facebook, the MTN Group, the Film and Publication Board, the Department of Telecommunications and Postal Services, and the Media Development and Diversity Agency and implemented by Media Monitoring Africa, Web Rangers is a digital literacy programme that is designed to raise awareness around safe internet usage for children and improve their digital skills. Through the programme, participants are encouraged to create innovative campaigns that promote safe internet usage. As of March 2020, Web Rangers has reached 600 learners directly and 2,000 indirectly. Additionally, the Web Rangers website offers a set of video tutorials on topics such as online grooming, cyberbullying, sexting, and web searching.¹⁴⁰
- **My Digital World:** Targeting the sub-Saharan Africa region, My Digital World is a free virtual digital literacy programme developed by Facebook. In South Africa, it aims to create a secondary school programme (*Ilizwe Lam*) offering digital literacy skills.
- **Internet Safety Campaign:**¹⁴¹ This campaign aims to educate and empower citizens and businesses regarding online protection by connecting groups of public and private professionals and developing resources on internet safety. Implementing partners include the International Multilateral Partnership Against Cyber Threats and South Africa's Film and Publications Board.

139. Self-described as a "digital literary programme", this initiative was meant to promote safe and informed practices among young people on the digital world. Click [here](#) to find more information regarding Web Rangers.

140. Web Rangers. (n.d). - Curriculum.

141. Internet Safety Campaign [website](#).

Transparency Data¹⁴²

A review of the published reports revealed that authorities in South Africa made:

- 7 requests to Facebook for content restriction, all of which concerned defamation.
- 61 requests for Facebook user data.
- 24 requests to Google for content removal, one of which was related to bullying/harassment.
- 12 requests for Google user data.
- 76 requests to Apple.
- 7 requests to Microsoft.
- 4 removal requests to Twitter.

While the available data does not allow for the identification of the type of crime that led to the majority of these requests, the diversity of platforms addressed indicates a greater level of engagement with U.S. technology companies than other *Disrupting Harm* countries in Eastern and Southern Africa.

¹⁴². Annual transparency reports of major social media platforms provide statistics on the number of requests for user data and content removal from each country's government authorities. Platforms were selected on the bases of high volumes of reports to NCMEC (10,000+), the availability of transparency reporting, and known popularity in *Disrupting Harm* focus countries. In addition to U.S.-based companies, transparency reports for Line and TikTok were also reviewed. Data was extracted from corporate websites on 13/08/2020, 18/08/2020, and 04/12/2020. Companies publish their reporting in a number of different formats. This required a certain amount of manual data cleaning and review. Every effort was made to check the accuracy of the datasets subject to manual manipulation.

4. HOW TO DISRUPT HARM IN SOUTH AFRICA

Disrupting Harm from online child sexual exploitation and abuse requires comprehensive and sustained actions from all stakeholders, including families, communities, government, law enforcement agencies, justice and social support service professionals, and the national and international technology and communications industry. While children are part of the solution, the harm caused by OCSEA obliges adults to act to protect them; we must be careful not to put the onus on children to protect themselves from harm without support.

This chapter presents a detailed set of actions needed in South Africa. They are clustered under five insights from the Disrupting Harm research and are sign-posted for different stakeholder groups. All these recommended actions are interlinked and will be most effective if implemented in coordination.

4.1 FIVE KEY INSIGHTS AND RECOMMENDATIONS FOR ACTIONS

Disrupting Harm Alignment with the Model National Response

Many countries, companies, and organisations have joined the WePROTECT Global Alliance to prevent and respond to online child sexual exploitation and abuse. As a member of the Global Alliance, South Africa made a firm commitment to use the [Model National Response to Preventing and Tackling Child Sexual Exploitation and Abuse](#) to help organise its response to OCSEA. The model is a valuable tool for governments to improve the level of their response.

The majority of the recommendations in this report align with the 21 'capabilities' articulated in the Model National Response; however, *Disrupting Harm* identifies priority areas for interventions specifically based on the data concerning the situation in South Africa. Most *Disrupting Harm* recommendations address legislation,¹⁴³ dedicated law enforcement,¹⁴⁴ judiciary and prosecutors,¹⁴⁵ and education programmes.¹⁴⁶

INSIGHT 1

In the past year, between 7%–9% of internet-using children in South Africa had been subjected to any of these clear examples of online child sexual exploitation and abuse: being blackmailed to engage in sexual activities, having their sexual images shared without permission, or being coerced to engage in sexual activities through promises of money or gifts.

Government

1.1 Continue to engage the general public, including children, caregivers, and teachers, in education and awareness-raising programmes and campaigns to increase understanding of violence against children, including OCSEA.

For children, these initiatives should include age- and development-appropriate information about various topics including sexual reproductive health and rights, consent, personal boundaries, and the risks involved in certain online behaviours (e.g., when taking, sending, and receiving sexual images). Importantly, the public should also be informed of where to seek support when needed. This will help children to identify risky or inappropriate interactions both online and in person. Awareness and educational messages should reach children throughout South Africa from a young age. Special care should also be taken to ensure that information is communicated to children who may be at an increased risk of OCSEA, including children with disabilities, children engaged in migration, street-connected children, out-of-school children, children living in poverty, and children from child-headed households.

143. Model National Response #3.

144. Model National Response #4.

145. Model National Response #5.

146. Model National Response #13.

4.1 FIVE KEY INSIGHTS AND RECOMMENDATIONS FOR ACTION

Ensure that all awareness and education programmes and campaigns are evidence based. They should be developed through safe, ethical, and engaging consultations with children and other stakeholders to ensure that they address their lived experiences of online risks and also include the techniques they use to keep themselves or their children safe. Establish formal processes to consult children whenever policies, plans, and programmes on violence against children (including OCSEA) are being developed. Rigorously evaluate interventions and regularly monitor and modify the programmes and campaigns to ensure that they are effective in keeping children safe and that they do not inadvertently cause harm.

The key objectives of these programmes and campaigns should include:

- Equipping caregivers with the knowledge and skills necessary to foster safe and ongoing communication with children about their lives online (see *Start the chat*¹⁴⁷ for an example) and offline.
- Recognising signs of potential abuse and illustrating how and where to seek help for oneself or for others.
- Fostering an environment in which children are more comfortable to have conversations about sex or asking trusted adults (such as caregivers or teachers) for advice. Feelings of discomfort, shame, or embarrassment can make children reluctant to talk to adults about issues related to sex and can make it more difficult for children to report and seek help when experiencing sexual exploitation or abuse.

Supporting caregivers, especially older caregivers who are low-frequency users of the internet or have never used the internet, in going online and becoming more familiar with the platforms that children are using (see *Be Connected*¹⁴⁸ for an example).

1.2 Incorporate education about OCSEA, and how certain crimes against children can be facilitated through digital technologies, into comprehensive age-appropriate sexuality education. Such programmes should be integrated in schools (for example, through the existing Integrated School Health Programme), and in life skills and social behavioural change programmes. Care should be taken to ensure that these messages are accessible to both in-school and out-of-school children. Such interventions should be rigorously evaluated and modified on the basis of the findings and it is essential that adequate funding is allocated for these evaluations.

The government body suggested to lead in implementing this recommendation is the Department of Basic Education and Health.¹⁴⁹

1.3 Increase research efforts and evidence generation on OCSEA in South Africa on a continuous basis. Along with developing and implementing educational campaigns, many governmental representatives who were interviewed made calls for further research on OCSEA in order to inform evidence-based policies and programming. Representatives also called for tracking the impacts of prevention efforts. It is vital that these efforts go beyond monitoring reported incidents of OCSEA, which are likely to represent only the tip of the iceberg, and that data is gathered regularly from children themselves.

1.4 Invest in digital literacy programmes for both children and caregivers. There is a need for comprehensive digital literacy and safety training to ensure that children and caregivers are not only *aware* of possible online risks but that they know *what to do* if those risks result in harm. This should include information about what children can do if they are being bothered online, and what kind of content is appropriate to share online with others. It should also cover basic digital safety skills such as how to change privacy settings, how to report harmful content on social media, and how to block unwanted contacts online.

147. See eSafety Commissioner's programme: '[Start the Chat](#)'.

148. See eSafety Commissioner's programme: '[Be Connected](#)'.

149. The recommendations for the leading organisations and bodies are based on discussions with around 100 participants from government, law enforcement, civil society, and non-governmental organisations at the national consultation for the *Disrupting Harm in South Africa* report.

Caregivers, teachers, and social support services¹⁵⁰

1.5 Learn about what children are doing both online and offline. Because OCSEA affects children regardless of gender, caregivers should be vigilant as to all children's online and offline interactions.

1.6 Inform children about their right to be protected from all forms of emotional, physical, and sexual abuse and exploitation, and on how to stay safe by setting boundaries, recognising appropriate and inappropriate behaviour from adults and those around them, including family members and friends, and how to seek help.

1.7 Engage with children about their online habits and activities and teach them about the potential risks that exist online, including the risks involved in sharing their sexual images or videos. Children should also be informed of possible protective measures they can take in relation to online risks, and what to do if they encounter harm online.

Overall, caregivers in South Africa use the internet quite regularly and have strong digital skills. They can make use of this knowledge to keep up to date on their children's online experiences. However, older caregivers tended to have much lower levels of digital skills and are much less likely to engage in online activities. They, therefore, require tailored programmes that focus on parenting skills, such as conflict resolution and how to engage in meaningful enabling mediation, and encompass basic online safety skills, including the nature of online risks and how they may lead to harm.

1.8 Ensure that responses to disclosures of OCSEA always convey that it is never the child's fault, whatever choices they have made. It is always the fault of the adult abusing or exploiting the child. Responses should be without judgement or punishment. For example, [see WHO guidelines](#) on first-line responses to child maltreatment.

INSIGHT 2

Children who were subjected to OCSEA on social media mainly reported being targeted through the major social media providers, most commonly via Facebook/Facebook Messenger and WhatsApp.

Government and law enforcement

2.1 Liaise more closely with global technology platforms and build on existing collaborative mechanisms to ensure that the digital evidence needed in OCSEA cases can be gathered rapidly and efficiently, including in response to data requests, and illegal content is promptly removed.

Industry

2.2 Consult with domestic Internet service providers, law enforcement, privacy experts, and technology companies to develop realistic mandatory regulations for filtering, removing, and blocking CSAM, addressing grooming and live-streaming of sexual abuse, and complying with legally approved requests for user information in OCSEA cases. This could be done by amending the Electronic Communications and Transaction Act¹⁵¹ and the Film and Publications Act¹⁵² by making it a formal duty to take down OCSEA content specifically. Once developed, evaluate these regulations periodically, monitor for timely compliance, and implement consequences for failure to comply.

2.3 Make formal reporting mechanisms within online platforms, including social media and instant messaging platforms, clear and accessible to children and detail in child-friendly terms what happens after children submit a report. Platforms and Internet service providers must respond rapidly to reports made by children, inform children about how their report is being handled, and demonstrate transparency and accountability.

150. Government, inter-governmental agencies, and civil society need to translate and convey these messages to reach caregivers, teachers, medical staff, and social support workers.

151. Republic of South Africa. (2002). [Electronic and Communications and Transactions Act No. 25 of 2002](#).

152. Republic of South Africa. (2019). [The Film and Publication Act No. 65 of 1996 \(as amended by Amendment Act No. 11 of 2019\)](#), Article 27A.

4.1 FIVE KEY INSIGHTS AND RECOMMENDATIONS FOR ACTION

2.4 Improve cooperation between domestic Internet service providers and law enforcement agencies by:

- Creating pathways for processing requests and collaboration.
- Training staff to respond to data requests for ongoing cases and minimising processing times.
- Providing the law enforcement authorities with any associated information to help identify offenders and victims in a timely manner.
- Detecting and removing CSAM on their servers.

2.5 Prioritise children's needs in product development processes. Design must be informed by evidence on children's digital practices and their experiences of online child sexual exploitation and abuse, including this *Disrupting Harm* study.¹⁵³

2.6 Promote awareness of OCSEA among relevant private sector entities including Internet, mobile, and financial service providers to ensure companies of all sizes have a better understanding of the risks children might encounter online and to understand the private sector's role in combating OCSEA. Promote multi-sectoral initiatives to develop and/or strengthen internal child protection policies.

INSIGHT 3

Many of the children who were subjected to OCSEA did not tell anyone what happened. Those who disclosed their abuse tended to turn to people they knew, particularly their friends. Children almost never reported their case to helplines or the police.

Government

3.1 Raise awareness about helplines such as *Childline South Africa* as they are a source of information and support for young people subjected to OCSEA. The *Disrupting Harm* data shows that children disclose OCSEA to people they know rather than to helplines or formal reporting channels. Awareness-raising efforts can communicate that peers, siblings, caregivers, and teachers can find information and advice about how to access support services from helplines. An important prerequisite to this recommendation is that helplines are adequately resourced and trained on how to respond to OCSEA, so that they can provide good quality information and advice.

3.2 Consider creating and expanding programmes that instruct children on what to do if a peer discloses abuse to them. This is needed given that children who were subjected to OCSEA disclose to their interpersonal networks, particularly their friends. The suggested body that could lead in coordinating government efforts around this recommendation is the Department of Basic Education.

3.3 Dedicate resources to child helplines and CSAM hotlines to improve record keeping of OCSEA reports. Increasing the capacity to collect and analyse such data will provide a better understanding of children's experiences of OCSEA, including how it changes over time, which could help in developing prevention programmes and necessary policies and legislative amendments.

153. A good starting point for is the free [tools](#) made available by the Australian eSafety Commissioner and this [framework](#) developed by UNICEF.

INSIGHT 4

Promising initiatives driven by both government and civil society are underway in South Africa. However, challenges exist, including varying levels of capacity among responders, the limited budget and investigation equipment, and a high staff turnover.

Government

4.1 Establish or appoint a government body within the existing child protection structure to lead the coordination of OCSEA responses and prevention approaches. This will help to avoid duplication of efforts across agencies by streamlining the mandates and responsibilities of all agencies working on OCSEA in order to ensure efficient use of resources. Ensure that non-government organisations are also represented in coordination bodies.

The government body suggested to lead in implementing this recommendation is the Department of Social Development.¹⁵⁴

4.2 Advocate for OCSEA to be on the national agenda, and create appropriate implementation and budget distribution plans. The need for resources was identified at both the national and provincial levels, and at the municipal and district levels.

4.3 Invest regularly in the knowledge of police officers, prosecutors, judges/magistrates, lawyers, courtroom staff, statutory social workers, medical staff, and frontline social workers about OCSEA. Ensure that regular skill-based training is mandatory and, where possible, integrated into relevant child online protection programmes and systems. These training events should be consistently evaluated and updated to reflect the most recent developments in digital technology and patterns of offending. The materials should be tailored to participants' level of experience and knowledge on OCSEA.

Additionally, improve the capacity of frontline staff to identify children at risk or that have experienced OCSEA. This should include health workers, teachers, sport coaches, community centres, traditional leaders, media, pastoral care staff in schools, and all those providing psycho-social support. Lastly, ensure all professionals are equipped to provide child-sensitive services and care.

4.4 Increase social support services beyond urban areas to include children from non-urban areas and relieve pressure on *service* delivery systems.

4.5 Dedicate budget to increase service delivery to children across South Africa who cannot afford to access support services.

4.6 Train staff members about OCSEA and develop the skills to effectively communicate with children from different communities. Ensure that information on how to access support is available to children and caregivers in a range of languages.

4.7 Ensure that social services (including medical, legal, psychological, and reintegration) are available to child victims across the country, including in rural areas of South Africa. These services should be provided in several languages.

Law enforcement

4.8 When possible, consider conducting vertical investigations, i.e., involving the same investigators and justice professionals from the beginning to the end of the justice process. This will ensure continuity of information and avoid potential trauma for children. If not possible, ensure cases are properly handed over and children are informed about the change of officer in charge of investigating their case.

4.9 Increase the human resources available at the law enforcement units responsible for investigating OCSEA, specifically the Serial and Electronic Crimes Investigation unit. Interviews conducted for *Disrupting Harm* in South Africa point to police units being inadequately staffed.

4.10 Conduct more proactive investigations and outreach. This could entail closer cooperation with domestic Internet service providers and improving accessibility of different intelligence sources. As a part of these efforts, involve the South Africa police in OCSEA prevention and awareness-raising campaigns.

154. The recommendations for the leading organisations and bodies are based on discussions with around 100 participants from government, law enforcement, civil society, and non-governmental organisations at the national consultation for the *Disrupting Harm in South Africa* report.

4.1 FIVE KEY INSIGHTS AND RECOMMENDATIONS FOR ACTION

4.11 Dedicate resources to obtain the equipment needed by the Serial and Electronic Crimes Investigation unit to conduct investigations. The technical complexity and possible need for international collaboration in these types of crimes require high-quality computers, a stable and unlimited internet connection, surveillance equipment, and fuel.

4.12 Make use of the Victim Empowerment Centres; prevent the re-traumatisation of children caused by recounting their abuse several times. This could be done by preparing a written statement of the child's testimony and sharing it with all professionals involved in handling and prosecuting the case.

4.13 Create a system in which officers working in this crime area are provided with tailored and continued psychological support.

4.14 Prioritise connection to the INTERPOL International Child Sexual Exploitation database and establish a national CSAM image database.

Justice professionals

4.15 Invest in the training of analysts to support the technical side of the investigation during the judicial process.

4.16 Rely on intermediaries to relay questions and answers to the child via closed-circuit television. It has been demonstrated that allowing for a child to testify through an intermediary using a closed-circuit television, rather than in a formal courtroom setting, will help to relieve the stress of the justice process and ensure a fair trial. Ensure the procedures of applying for an intermediary are clear and efficient. To improve the criminal justice process and afford equal protection to all children, ensure intermediaries are trained and equally available to all minors. Ensure that the intermediary facilities are constantly developed and maintained across the country.

4.17 Ensure that child-friendly court spaces are available across the country. The creation of additional safe spaces is critical for children in the legal system.

In order to provide children with the support they need, it is important to explore and understand what 'safe spaces' mean to children and caregivers in South Africa. While physical safety was found to be important, it is the professionals who contribute to children's feelings of emotional safety during the process.

4.18 Develop legislation that specifically establishes a right to compensation for children who were subjected to online sexual exploitation and abuse, even when the abuse/exploitation did not happen in the context of trafficking. Consider supporting the creation of a state-managed compensation fund and ensure children are able to effectively access and receive compensation. Provide each child with professional support in the compensation-seeking process and remove the responsibility of seeking compensation from survivors and their families.

4.19 Process and adjudicate OCSEA cases on the general docket when specialist courts are not available. This is important in order to secure digital evidence and protect the child's well-being. Courts can grant priority dates in criminal court cases involving children in order to limit the duration of case processing. Lengthy court processes can result in children and caregivers losing interest in pursuing justice.

INSIGHT 5

While OCSEA-related legislation, policies, and standards exist in South Africa, further efforts are needed to ensure they are implemented.

Government

5.1 In light of the ever-evolving nature of OCSEA, **comprehensively review, assess, and amend all available legislation on child sexual abuse and exploitation** to reflect elements related to the online environment and technology. This should include ensuring that conduct constituting live-streaming of child sexual abuse is explicitly criminalised either through a standalone provision or by directly indicating that existing provisions on child sexual abuse material and/or ‘pornographic performances’ also apply when the abuse is live-streamed online and materials are not downloaded or stored. Moreover, new legislation criminalising sexual harassment and sexual extortion that are committed in the online environment should be adopted. As recommended by the South Africa Law Reform Commission, the aim should always be to draft legislative proposals “in such a way that the crimes are not technology-dependent or specific”.¹⁵⁵

5.2 Strengthen the enforcement and implementation of laws related to OCSEA, which although comprehensive, face significant barriers in implementation due to a lack of funding, limited training, and a lack of awareness among practitioners.

5.3 Revise existing legislation to replace the term ‘child pornography’ with the more appropriate ‘child sexual abuse material’ (CSAM), as recommended by the South Africa Law Reform Commission.

5.4 Accede to the Convention on Cyber Security and Personal Data Protection adopted by the African Union in 2014. With respect to OCSEA, the convention specifically includes CSAM.

5.5 Consider amending legislation to conform to other international conventions which offer good guidance for addressing OCSEA, such as the Council of Europe’s Convention on the Protection of Children Against Sexual Exploitation and Sexual Abuse (Lanzarote Convention) and the Convention on Cybercrime (Budapest Convention). These conventions provide useful measures of national legal frameworks related to OCSEA and are open for accession by states that are not members of the Council of Europe.

155. South African Law Reform Commission (2021). [Project 107: Sexual Offences \(Pornography and Children\)](#).

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