

ASEAN Guidelines for the provision of protective and support services for all child victims and children in contact with the law as a result of online child sexual exploitation and abuse

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Minimum package of services for OCSEA victims

Minimum service package for OCSEA victims

1. Case management:

- Specific considerations for OCSEA victims should be taken across the different stages of the case management process
- Example: online/offline continuum of CSEA, need to ensure removal of circulating CSAM, continuous monitoring

2. Social service workforce

- Need for specialist training for the workforce to provide appropriate and timely support to OCSEA victims
- Selection of topics: nature of OCSEA, online/offline continuum, impact of OCSEA on victim, role of online reporting mechanisms

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3. Family-based care:

- Many OCSEA incidents are facilitated and committed by the parents or relatives of the victims
- Priority should be given to the removal of the offender (best interests of the child)

4. Mental Health and psychosocial support

- Fight common myths around limited psychological impact of OCSEA
- OCSEA victims might experience pathological distress, anxieties, depression, psychosomatic complaints, alcohol and other substance use disorders, self-harm, and suicidal ideation

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5. Health:

- Cases of OCSEA might have an offline CSEA element to it, e.g., where a child is raped, filmed, and content is shared online
- Even in cases first identified as OCSEA, it is key that service providers assess and identify the full spectrum of abuse

6. Justice & law enforcement

- Establish a safe, child-friendly, and non-stigmatizing environment for OCSEA victims to seek justice
- Provide legal aid and support services to OCSEA victims and their families where possible

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7. Removal of OCSEA content:

- Establish legal requirement for private sector companies to report and remove CSAM from their platforms and services once they become aware of it
- Consider criminal penalties and civil penalties for non-compliance where appropriate are also essential in ensuring effective enforcement

8. Compensation

- Financial compensation, especially when it comes directly from the perpetrator, is an important aspect in the reparation
- Consider establishing detailed legal standards and guidelines on compensation process

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9. Education and vocational skills:

- Education as effective tool in preventing and responding to online and offline CSEA
- Provide comprehensive digital literacy training, paired with sexuality education with an online specific dimension at all levels of the educational system

10. Social Protection:

- Poverty can be a driver for OCSEA
- Connecting vulnerable families and children to the social protection system is particularly crucial in preventing OCSEA victims (or their siblings) from returning to the commercialised forms of OCSEA in the long term



Minimum package of services for OCSEA child offenders

Minimum service package for OCSEA child offenders

1. Minimum age of criminal responsibility:

- Maturity and the capacity for abstract reasoning is still evolving in children aged 12 and 13 years as their frontal cortex is still developing
- AMS should consider setting the MACR at, as a minimum, 14 years for all criminal offences

2. Diversion mechanisms:

- Diversion involves the referral of matters away from the formal criminal justice system, usually to programmes or activities
- Opportunities for diversion should be available from as early as possible after contact with the system, and at various stages throughout the process

Minimum service package for OCSEA child offenders

3. Availability of support services

- Children in conflict with the law should be provided with emotional, psychological and social support
- Provide legal or other appropriate assistance from the outset of the proceedings, in the preparation and presentation of the defence, and until all appeals and/or reviews are exhausted

4. Prohibition of death penalty and life imprisonment without parole

- Article 37 (a) CRC prohibits the death penalty for a crime committed by a person who is under 18 years of age
- No life imprisonment without the possibility of release or parole



Thank you!