

Explanatory Memorandum on the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse

Title of Treaty:

Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse

Command Paper Number: 9602

Subject Matter

This paper refers to the UK government's intention to ratify the Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (the 'Lanzarote Convention'). The purposes of the Convention are a) to prevent and combat sexual exploitation and sexual abuse of children; b) to protect the rights of child victims of sexual exploitation and abuse; and c) to promote national and international cooperation against sexual exploitation and sexual abuse of children.

The Lanzarote Convention observes that the sexual exploitation of children, and all forms of sexual abuse of children, including acts which are committed abroad, are destructive to children's health and psycho-social development. This Convention is the first instrument to establish the various forms of sexual abuse of children as criminal offences.

Preventive measures outlined in the Convention include the screening, recruitment and training of people working in contact with children, making children aware of the risks and teaching them to protect themselves, as well as monitoring measures for offenders and potential offenders.

The Convention also establishes programmes to support victims, encourages people to report suspected sexual exploitation and abuse, and sets up telephone and internet helplines for children. The Convention also criminalises the solicitation of children for sexual purposes ("grooming") and "sex tourism".

The programme imposes obligations to criminalise and punish with effective, proportionate and dissuasive sanctions, and has a multidisciplinary approach – to prevent and combat sexual exploitation of children, to protect the rights of child victims, to prosecute the perpetrators, and to promote the appropriate policies and national and international cooperation against this crime. It sets out that ratifying states shall adopt specific legislation and take measures to prevent sexual violence, to protect child victims and to prosecute perpetrators.

The Convention is also complimentary to other international instruments including the United Nations Convention on the Rights of the Child (1989) and the Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography (2000).

Ministerial Responsibility

The Home Secretary has overall responsibility for policy on protecting children from sexual exploitation and abuse. The Secretaries of State for Education, Justice, Health and Foreign and Commonwealth Affairs also have a policy interest.

Policy Implications

The UK remains fully committed to tackling child sexual abuse in all its forms, recognising it as a National Threat in the Strategic Police Requirement. Since signing the Lanzarote Convention, the UK has taken a leading role in driving international collaboration on child sexual abuse, including supporting the multilateral WePROTECT Global Alliance initiative to counter online child sexual exploitation and pledging £50m for projects to tackle such crimes overseas. In order to ratify the Convention the UK has taken the necessary legislative and administrative steps to implement the Convention in UK law (including the devolved administrations in Scotland, Wales and Northern Ireland).

Compliance with the Convention will mean that the UK will report via questionnaires (general and thematic) on how it has been implemented at national level. The Lanzarote Committee (i.e. the Committee of the Parties to the Convention on the Protection of children against Sexual Exploitation and Sexual Abuse) is the body established to monitor whether Parties effectively implement the Lanzarote Convention. The committee will facilitate the collection, analysis and exchange of information, experience and good practices to improve capacity to prevent and combat sexual exploitation and sexual abuse of children.

Financial Implications

None

Reservations and Declarations

None.

Implementation

The UK will respond along with all other ratifying members to questionnaires and requests for feedback on its domestic implementation of the Convention, as part of the reporting mechanism. Detail above under 'policy implications'.

Consultation

UK Overseas Territories and Crown Dependencies have been consulted on whether any wish to have ratification extended to them alongside the UK.

Signed,

A handwritten signature in black ink, appearing to read 'Victoria Atkins', with a stylized flourish at the end.

Victoria Atkins
Parliamentary Under Secretary of State for Crime, Safeguarding and Vulnerability