



Joint Committee on Law Enforcement

*Law Enforcement Capabilities
in Relation to Child Exploitation*

Abstract

**Destiny Rescue activities
to counter child sexual
exploitation**

5 April 2023

Senator Helen Polley
The Chair
Parliamentary Joint Committee on Law Enforcement

PO Box 6100
Parliament House
Canberra ACT 2601

Destiny Rescue Limited (Australia) – Countering the Sexual Exploitation of children

Dear Senator,

Destiny Rescue is pleased to make this submission to the Committee's inquiry into child exploitation. Our submission provides an overview of Destiny Rescue's role in combating the exploitation of children, including online sexual exploitation.

Destiny Rescue Limited is an Australian-based international NGO with more than 20 years of experience in countering child sexual exploitation, particularly in ASEAN. We recently celebrated our 12,000th rescue of an individual from human trafficking and child sexual exploitation.

Our submission provides an overview of who we are and our activities in countering child sexual exploitation.

Yours sincerely,



A stylized, handwritten signature in black ink, appearing to read 'Paul Mergard'. The signature is fluid and cursive, with a large loop at the end.

Paul Mergard
CEO Destiny Rescue Australia

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Executive Summary



Background

Destiny Rescue is an Australian-based NGO which has rescued over 12,000 individuals (mostly children) from exploitation overseas. We have over 20 years' experience in countering child sexual exploitation in 12 countries, including the online sexual exploitation of children (OSEC).

“Australians ... have been identified as the largest group of sex tourists prosecuted in Thailand (31% of the total)”¹

The issue of Australian law enforcement capability in the area of child exploitation is vital to our community's ongoing efforts to counter this issue.

This submission focuses on Destiny Rescue's activities and experience in countering child sexual exploitation. A further submission will focus on our insights into the trends and changes in OSEC, especially the technology and role of social media providers in these trends.

We are actively engaging in Australia and ASEAN to achieve policy and legislative change to counter child exploitation, and have recently lodged submissions as follows:

Australia:

A submission to the JSCFADT inquiry which is examining the role of Australia as a hub in support of tourism in the Asia Pacific region (the region) (March 2023);

We believe this inquiry should investigate potential awareness-raising campaigns to counter Australian travellers being involved in the sexual exploitation of children in the region;

A response to the Targeted Review of Divisions 270 and 271 of the *Criminal Code Act 1995 (Cth)*, regarding slavery, slavery-like offences and trafficking offences (March 2023);

A Pre-Budget Submission 2023-24 recommending that a *Safe Children, Safe Traveller* awareness campaign for Australian travellers to the region be undertaken. Australia has not funded a Child Safe Tourism campaign in ASEAN since 2012-2014 (January 2023).

Thailand:

Alongside our technology partner, we signed an MOU with the Cyber Crime Investigation Bureau (CCIB) from the Royal Thai Police, enabling us to formally collaborate and empower the police to respond to OSEC investigations (February 2023).

Australian law enforcement agencies have a key potential role to play in the area of sexual exploitation of children in travel and tourism. All Australian travellers, who are perpetrators, pass across the Australian customs border (usually twice per journey).

There is a potential role for the Australian Border Force (ABF) in identifying and questioning repeat travellers who may be perpetrators.

¹ December 2012 Report of the UN Special Rapporteur on the sale of children, child prostitution and child pornography, Ms Najat Maalla M'jid, to the Human Rights Council of the UN General Assembly; A/HRC/22/534 Pg 5 (UN Special Rapporteur M'jid Report, December 2012) (Refers to prosecutions between 1995 and 2006).

Destiny Rescue – Our People

Tony Kirwan

Destiny Rescue President & Founder



Tony Kirwan has always had a heart to see children rescued from poverty and abuse. After running his own electrical contracting company for ten years, he sold everything and began Destiny Rescue in 2001.

With over twenty years expertise in the field of Human Trafficking, Tony believes in leading from the front. Residing in Thailand, he and his teams around the globe are actively involved in the rescue of young children from the sex industry and are building an organisation that combats this crime against humanity.

Paul Mergard

CEO, Destiny Rescue Australia



For two decades Paul has fought for the rights of children who are trapped in the most horrific situations. It was in the early 2000's where he saw first-hand the horrific impact human trafficking has on the lives of children, but also the sheer joy that freedom and wholeness brings once rescued.

Trained as an accountant with KPMG, and with almost two decades working for two of Australia's largest charities, The Salvation Army and Compassion, Paul joined the Destiny Rescue Team as Executive Partnerships Manager in 2019 before taking over the role of CEO in early 2021.

Paul has a Graduate Diploma in International Development and has spent many years in the developing world working with people who live in extreme poverty or have been sold into slavery.

Our People (continued)**Matthew Valentine**

OSEC Director, Destiny Rescue International



Matthew is a New Zealand Citizen with over 15 years experience in Law Enforcement, as a Detective in the New Zealand Police. Matthew was involved in investigating the country's most serious crimes of Murder, Sexual abuse, Assault and matters of National Security.

In 2018, Matthew moved to the Philippines as a consultant to one of the world's largest NGOs, the International Justice Mission (IJM). There he was embedded in the National Bureau of Investigation (NBI) Human Trafficking taskforce.

Matthew mentored the agents and developed capacity within their investigations and judicial system to combat human trafficking. During his time in the Philippines, Matthew assisted the taskforce to rescue and remove more than 50 children from harm who were actively being sexually abused. While in this role and acting in the capacity to strengthen Justice Systems there, the Philippines was upgraded in the US Department of State's Trafficking in Persons Report to Tier 1, the highest status available internationally.

In 2019, Matthew moved to Thailand as an anti-trafficking consultant working with all Law Enforcement agencies, Governmental, and Non-Governmental Groups to combat human trafficking. During his time in Thailand, Matthew has trained more than 500 Law Enforcement and NGO members on various aspects of human trafficking investigation and management.

Matthew also worked directly with Law Enforcement agencies on active cases of human trafficking involving children and has contributed toward 115 children being removed from harm.

In 2021, Matthew was requested by a special Judicial workgroup sanctioned by the Thai Government to provide specialist input and advice on developing a new law within Thailand to combat the growing crime of OSEC. This law is in its final reading and has been approved by the Thai Government.

Matthew is the OSEC Director for Destiny Rescue International and leads a dedicated and collaborative programme to fight OSEC within Thailand.



Destiny Rescue Background

Overview

Destiny Rescue is an international non-profit organisation whose mission is to rescue children from sexual exploitation and human trafficking and help them stay free. Founded in 2001 and operating for over 20 years, Destiny Rescue International has rescued increasing numbers of victims each year since 2011 – and recently celebrated our 12,000th rescue.

We are driven by our strategic goal to rescue 100,000 children by 2032.

Objectives

Our vision is to play a leading role in ending the sexual exploitation and trafficking of children in our lifetime.

Aims

We aim to continue to expand our work:

- Rescuing individuals enslaved around the world;
- Keeping others from entering the sex trade through border intervention and trafficking awareness counselling;
- Ensuring justice for those who have been wronged; and
- Raising awareness globally.

Who we are

With more than 200 staff worldwide, Destiny Rescue operates in Thailand, Cambodia, the Philippines, Nepal, Uganda, Kenya, Zimbabwe, the Dominican Republic and four undisclosed countries in Asia, Central and Latin America.

In each nation, we partner with a network of international border forces, local law enforcement, government agencies, NGOs, and other like-minded organisations who add their on-the-ground expertise in local communities and culture.

Focusing solely on the child sex trafficking aspect of modern slavery, we are one of the few organisations internationally to conduct direct rescues via a network of trained rescue agents to support the fight against child sexual exploitation. In addition, we collaborate with prominent NGOs and local law enforcement agencies on large-scale raids.

Destiny Rescue empowers rescued girls to develop agency and remain free through its Aftercare Programs and on-the-ground partners. Survivors are supported to become community leaders, journeying with the next generation of girls to ensure they are never again sold or kidnapped to be sexually exploited (including in the context of travel and tourism).

A summary of our international activities in Asia, Africa and Latin America in 2022 can be found in *Appendix 1: Impact Report for 2022*.

See *Appendix 2* for details of ASEAN country operations in Thailand, Cambodia and the Philippines.



Our structure

The international scope of our work and worldwide partnerships requires that Destiny Rescue has a multinational organisational structure that gives us the ability to operate more effectively around the world.

Destiny Rescue International² is the central operating arm, providing support and logistics for rescues, program management, new pilots, and learning and evaluation.

Destiny Rescue Limited (Australia)³, Destiny Rescue USA⁴ and Child Rescue New Zealand⁵ each provide essential strategic support for different regions of the world, and also assist with fundraising, strategic partnerships, and marketing and communications in their respective nations.

Destiny Rescue Australia

Destiny Rescue Limited (referred to as Destiny Rescue Australia) is made up of a team of 30 Australian-based

staff. Destiny Rescue Limited is a registered charity in Australia⁶. The Australian Board is composed of five dedicated professionals with international leadership expertise in the NGO and corporate sectors, finance, business development and human resources.⁷

Destiny Rescue Australia is a member of the Australian Council for International Development (ACFID) and adheres to the ACFID Code of Conduct, which defines minimum standards of governance, management and accountability of development for non-government organisations (NGOs).

Destiny Rescue Australia acknowledges the Australian Government's Guidelines for NGOs: *Working with trafficked people* (Third Edition, 2015).⁸

For further information, see the Destiny Rescue Australia Annual Report for 2021 (*Appendix 3*).

² Destiny Rescue International, PO Box 25684 Fort Wayne, IN 46825 | Tax-Exempt since May 2015; EIN: 47-2864435; www.destinyrescue.org

³ Destiny Rescue Limited is a company limited by guarantee incorporated under the *Corporations Act*.

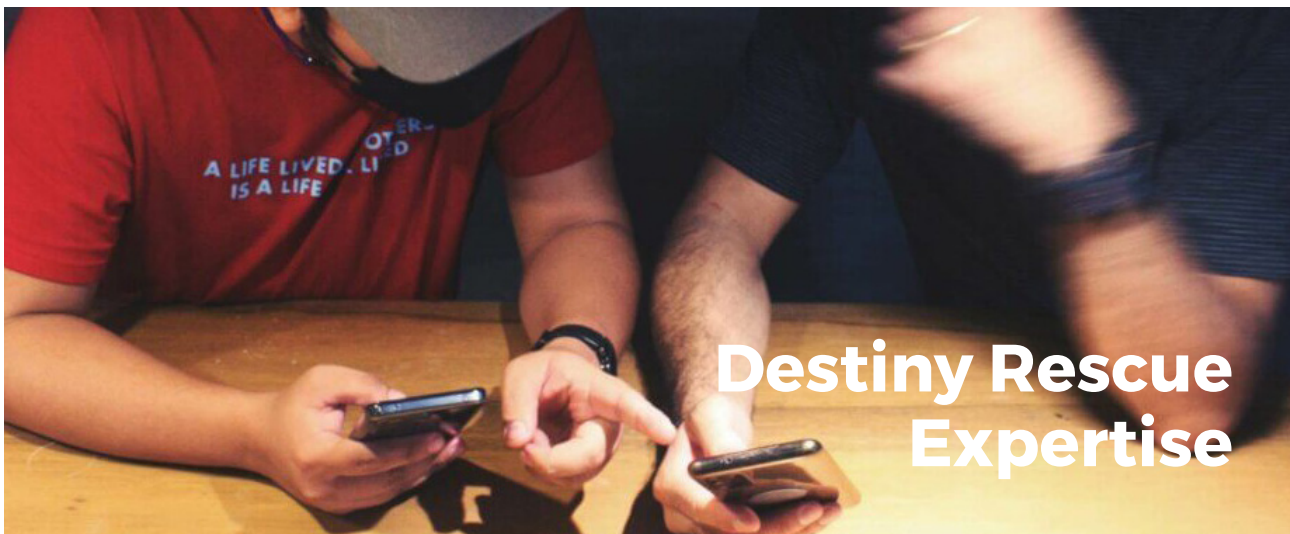
⁴ www.destinyrescue.org; Non-profit organization in Fort Wayne, Indiana. Address: 10339 Dawsons Creek Blvd suite c, Fort Wayne, IN 46825, United States

⁵ <https://www.childrescue.org.nz> Child Rescue Charitable Trust registration number: CC 50592; Child Rescue Charitable Aid Trust registration number: CC 50751

⁶ Registered charity with the Australian Charities and Not-for-profits Commission (ACNC) – ABN: 16 394 284 169

⁷ Destiny Rescue Limited Annual Report, 2021, pg 28.

⁸ <https://www.homeaffairs.gov.au/criminal-justice/files/guidelines-ngos-working-with-trafficked-people.PDF>



Recognised Thought Leaders

One of Destiny Rescue's long-term objectives is to be recognised as a thought leader in the area of policy and legislative changes relating to child sexual exploitation and child rescue.⁹

We are actively engaged in Australia and ASEAN to achieve policy and legislative change to counter child exploitation, as follows:

Australia:

- Recently lodged a submission to the JSCFADT inquiry into the tourism industry, which is examining the role of Australia as a hub in support of tourism in the Asia Pacific region (the region). Destiny Rescue believes this inquiry should investigate potential awareness-raising campaigns to reduce the extent to which Australian travelers may become involved in the sexual exploitation of children in the region (March 2023);
- Provided a response to the Targeted Review of Divisions 270 and 271 of the *Criminal Code Act 1995 (Cth)*, regarding slavery, slavery-like offences and trafficking offences (March 2023); and
- Lodged a comprehensive Pre-Budget Submission 2023-24 (January 2023);

Thailand:

Destiny Rescue alongside a technology partner signed an MOU with the Cyber Crime Investigation Bureau (CCIB) from the Royal Thai Police, enabling us to formally collaborate and empower the police to respond to OSEC investigations (February 2023);

In 2022, Destiny Rescue was the only NGO in Thailand invited by the Thai Government to collaborate on a specialist law change working group to develop and initiate laws that protect children from online grooming;

Philippines:

In the Philippines, our staff have been invited to participate in anti-trafficking councils, committees and Senate hearings; and

US and UN:

Destiny Rescue directly contributes to the United States Government's *Trafficking in Persons Report (TIP)* and the United Nations annual *Trafficking in Persons Report*.

⁹ Destiny Rescue Ltd Australia, Annual Report, 2021, Pg 21.



International partnerships

We have strong on-the-ground partnerships with local governments and like-minded NGOs across our countries of operation. For example, across our ASEAN countries:

Thailand: Destiny Rescue collaborates with over 45 organisations (Government, non-government and like-minded sectors);

Cambodia: Our work is registered and conducted in partnership with government authorities. Maintaining a positive relationship is key to our success and continued work, in line with Cambodia's main anti-trafficking law (Law on Suppression of Human Trafficking and Sexual Exploitation); and

The Philippines: Our relationship with the anti-trafficking authorities in the Philippines is strong and includes the Philippines National Police (PNP), the Philippines National Bureau of Investigation (NBI), the Department of Social Welfare and Development (DSWD) and the National Government Agency, the Department of Labor and Employment (DOLE).

Australian policy and agency responses

The issue of law enforcement capability in the area of child exploitation is vital to our community's ongoing efforts to counter this issue.

Destiny Rescue commends the Albanese Government for continuing with a range of policy and law enforcement agency initiatives to combat the sexual exploitation of children, in the context of human trafficking and modern slavery, including:

- The ASEAN-Australia Counter Trafficking Initiative (ASEAN-ACT Initiative);
- The Australian Centre to Counter Child Exploitation (ACCCE);
- The recent establishment of the Australian Institute of Criminology's *Human Trafficking and Modern Slavery Research Network*;
- The recent signing of a Memorandum of Understanding (MOU) with the Royal Thai Government to establish a *Center of Excellence to Counter Human Trafficking*; and
- The expansion of the remit of Australia's Ambassador to be the *Ambassador to Counter Modern Slavery, People Smuggling and Human Trafficking*.

Structure of this submission

This submission provides initial comments on the terms of reference of the inquiry, as follows:

- Trends and changes in the crime of online child exploitation (referred to as OSEC¹⁰);
- Legislative tools and tactics of law enforcement;
- Streamlining legislative constraints to enable faster investigations;
- Use by offenders of encryption devices etc and relevant law enforcement resources;
- Technology providers' role assisting law enforcement;
- Link between OSEC and contact offending; and
- Other related matters.

A - Trends and changes in the crime of online child exploitation

Terms of Reference

The Terms of Reference include:

(a.) Trends and changes in relation to the crime of online child exploitation.

Key Issues and Facts

The online sexual exploitation of children by Australians is a grave issue of community concern. Australia ranks third behind the US and Sweden when it comes to cases of live-streamed child abuse reported in the Philippines.¹¹

Children have more access to tech than ever before

Online activities in relation to child exploitation have grown exponentially in recent years:

- Young children may be especially vulnerable: 82% of known Child Sexual Abuse Material (CSAM) in 2021 portrayed children under 13;¹²
- In 2019, estimates showed one in three children were internet users;¹³
- Fewer than half of Filipino children say they feel safe online;¹⁴

- In 46% of our rescues in Nepal in 2021 and 2022, girls met their traffickers online.

Being subjected to online sexual solicitation is often associated with online risk behaviours. These behaviours include exposure to online pornography, posting personal information or pictures online, having unknown people as friends on social media, voluntary sexting, video chatting with strangers, and high levels of gaming.¹⁵

The increasing availability and access to the internet has been a contributing factor in the rise of OSEC, with an estimated 750,000 predators online at any one time.¹⁶

Before the internet, perpetrators had to physically go to a bar or brothel to sexually exploit children. Now abusers who are located anywhere in the world, including Australia, can exploit children without ever leaving their homes.

Internet usage has accelerated more since the pandemic than in the four years prior,¹⁷ and the increasing availability of 5G internet in remote areas has facilitated the growth of OSEC.

In 2021, reports of OSEC increased by 35% for a total of 29.3 million reports, making it a record year. Of the 29.3 million total reports, 29.1 million of these reports were from social media providers.¹⁸

Since 2003, Destiny Rescue has rescued children from OSEC in Thailand via covert missions. 63% of all rescued survivors in 2021 were found on line. In 2020, 9% of 12-17 year-old internet users in Thailand were victims of OSEC¹⁹. Scaled to the population, this represents an estimated 400,000 Thai children subjected to OSEC annually.

¹⁰ OSEC means online sexual exploitation of children

¹¹ <https://ijm.org.au/blog/5-things-you-need-to-know-about-osec/>

¹² [https://www.europarl.europa.eu/RegData/etudes/BRIE/2022/738224/EPRS_BRI\(2022\)738224_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/BRIE/2022/738224/EPRS_BRI(2022)738224_EN.pdf)

¹³ <https://www.unicef-irc.org/publications/pdf/GKO%20Summary%20Report.pdf>

¹⁴ <https://www.unicef-irc.org/publications/pdf/Investigating-Risks-and-Opportunities-for-Children-in-a-Digital-World.pdf>

¹⁵ <https://www.unicef-irc.org/publications/pdf/Investigating-Risks-and-Opportunities-for-Children-in-a-Digital-World.pdf>

¹⁶ <https://ijm.org.au/blog/5-things-you-need-to-know-about-osec/>

¹⁷ <https://www.apa.org/news/apa/2022/social-media-children-teens>

¹⁸ [https://www.europarl.europa.eu/RegData/etudes/BRIE/2022/738224/EPRS_BRI\(2022\)738224_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/BRIE/2022/738224/EPRS_BRI(2022)738224_EN.pdf)

¹⁹ https://www.end-violence.org/sites/default/files/2022-02/DH_Thailand_ONLINE_final.pdf

B - Legislative tools and tactics of law enforcement

Terms of Reference

The Terms of Reference include:

- (b.) *Reviewing the efficacy of any gaps in the legislative tools and tactics of law enforcement used to investigate and prosecute offenders.*

Targeted review of Divisions 270 and 271 of the Criminal Code

Destiny Rescue has recently provided a response to the Targeted Review of Divisions 270 and 271 of the *Criminal Code Act 1995 (Cth)* (the Code), regarding slavery, slavery-like offences and trafficking offences (March 2023).

This submission identifies several possible gaps in the legislative tools available to law enforcement to investigate and prosecute offenders in cases of child trafficking for sexual exploitation.

In particular, we consider that the term “*sexual service*” is inappropriate in the context of Australia’s child trafficking offences (see Division 271 of the Code). This term should be replaced with the term “*sexual exploitation*”. This would remove a gap in the legislative provisions of the child trafficking laws in Australia (see Destiny Rescue’s submission to the Targeted Review).

Modern Slavery Act review

In the context of the current review of the *Modern Slavery Act 2021*, Destiny Rescue believes that the definition of modern slavery should be extended to cover sexual exploitation of children.

This would remove a gap in the legislative provisions of the modern slavery laws in Australia.

Thai Government legislation reform

Thailand currently has no preventative crime legislation that protects children from online grooming. Online grooming involves a perpetrator engaging with a minor and enticing them to meet in person for sexual exploitation or share CSAM through manipulation, threat or extortion. The crime is described as

‘Grooming’ and is covered by legislation in most countries around the world.

In 2022, Destiny Rescue was the only NGO in Thailand invited by the Thai government to collaborate on a specialist law change Working Group to develop and initiate this law within Thailand.

In 2022, we participated in this Working Group together with members from the Office of the Attorney General, law enforcement specialists and members from the Thai parliament.

Since this time the law change proposal has moved to its final reading at the Thai Congress and is anticipated to be ratified later in 2023.

C - Streamlining legislative constraints to enable faster investigations

Terms of Reference

The Terms of Reference include:

- (c.) *Considering opportunities and suitability of streamlining legislative constraints to enable faster investigations that can better respond to rapidly evolving trends in offending.*

Customs border procedures

Australian law enforcement agencies have a key potential role to play in the area of identifying and investigating potential child sex offenders. As outlined in Section F. below, Australians who travel overseas, and who are perpetrators of sexual exploitation of children, pass across the Australian customs border (usually twice per journey).

There is a potential role for the Australian Border Force (ABF) in identifying and questioning repeat travellers who are possibly child sex offenders.

Destiny Rescue is concerned that there may be existing legislative constraints which constrain or prevent ABF officers from identifying and questioning, at the border, repeat Australian overseas travellers who may be child sex perpetrators.

D - Encryption and adequate law enforcement resources to respond

Terms of Reference

The Terms of Reference include:

(d.) *Considering the use by offenders of encryption, encryption devices and anonymising technologies, and Remote Access Trojans to facilitate their criminality, along with the resources of law enforcement to address their use.*

Police departments are often not equipped to combat the problem, much less prevent it

To address the growing issue of OSEC in Thailand, we partnered in 2022 with an online technology specialist company to develop a cyber-intelligence technology that enhances law enforcement operations to counter OSEC activities.

Our technology identifies victims and allows Destiny Rescue and law enforcement agencies to collect/share data, mobile collaboration tools, and computer forensics. This maximises online detection and accelerates joint rescue operations.

Using our existing partnerships, we are training Thailand's local police to deploy this technology and, as result, we anticipate growth of OSEC leads and victim identification, covert rescue operations, and joint raids with local police.

Destiny Rescue and our technology our partner have recently signed an MOU with the Cyber Crime Investigation Bureau (CCIB) from the Royal Thai Police, enabling us to formally collaborate and empower the police to respond to OSEC investigations.

Software innovation facilitates OSEC

Technology has also dramatically enhanced the electronic connection between potential perpetrators and vulnerable communities. In non-English speaking countries, the language differences between western-based abusers and local communities previously provided a barrier between these two groups.

However, over the past five years, the rise in automatic electronic translation software has broken down these barriers. Within Thailand, for example, this simple development in technology has opened the door for abusers, paedophiles and potential traffickers to freely communicate with non-English speaking co-offenders and victims in vulnerable communities in rural and remote parts of Thailand.

E - Role of technology providers in assisting law enforcement

Terms of Reference

The Terms of Reference include:

(e.) *Considering the role technology providers have in assisting law enforcement agencies to combat child exploitation, including but not limited to the policies of social media providers and the classification of material on streaming services.*

General Observations

Destiny Rescue International is encountering cases where technology providers are being used by perpetrators to commit the crime of OSEC in all 12 countries in which we operate.

Technology has not only enhanced and facilitated traditional forms of sexual exploitation of children, but it has also spawned new forms and variations of this crime type.

The live streaming form of child sexual exploitation is facilitated by two co-conspirators who meet online through social media providers. The two conspirators (who are commonly remote from each other, in different countries) form an agreement to sexually exploit a vulnerable person, commonly a child, in exchange for a fee.

The contact offender sexually exploits the victim at the direction of the 'customer' and the exploitation material is transmitted through the internet for the sexual gratification of the customer. In exchange, the 'customer' sends payment through electronic money remittance to the contact abuser abroad. In this form of sexual exploitation, the recruitment, exploitation and compensation are all facilitated through electronic providers.

Destiny Rescue will address this significant issue further in a supplementary submission.

F - Link between OSEC and contact offending

Terms of Reference

The Terms of Reference include:

(f.) *Considering the link between accessing online child abuse material and contact offending, and the current state of research into and understanding of that link.*

Overview

The extent to which contact offending is linked with OSEC activities of offenders is not currently clear. However, it is clear that the vulnerabilities that put children at risk online, often put children at risk from contact offenders.

Destiny Rescue believes law enforcement action needs to be taken to reduce the extent to which Australian overseas travellers, who may have been involved in OSEC, are involved in the physical sexual exploitation of children in the countries which they visit.

Australians have been identified as the largest group of sex tourists prosecuted in Thailand (31% of the total).

This shocking statistic was quoted by the then UN *Special Rapporteur on the sale of children, child prostitution and child pornography* in her Report to the UN Human Rights Council on 24 December 2012 (the UN Special Rapporteur Report).²⁰

Australians account for 9 per cent of sex tourists arriving in the ASEAN region, with almost 100,000 Australian citizens visiting Thailand alone.²¹ Indonesia (especially Bali) and the Philippines are also currently amongst the most favoured destinations of Australians. See further discussion in Section G. below.

Australian offenders were involved in 18% of all International Justice Mission (IJM) cases in the Philippines.²²

G – Other Matters: Sexual exploitation of children in travel and tourism

Terms of Reference

The Terms of Reference include:

(g.) *Any related matters.*

Definitional and data issues

The sexual exploitation of children in the context of travel and tourism is the exploitation of children for sexual purposes by people who travel locally or internationally to engage in sexual activities with children. *“This often involves the use of travel agencies, transport, accommodation and other tourism-related services that facilitate contact with children”*.²³

Destiny Rescue notes that the term ‘*child sex tourism*’ is broadly used in many quarters and in the literature of earlier periods. However, it is now recommended by international child protection professionals that this term be avoided.²⁴ One reason is that the term may appear to link the crimes with the entire travel and tourism industry. Another reason is that the term excludes many categories of travelling offenders (e.g. business travellers and military personnel, who are not tourists).

The sexual exploitation of children in travel and tourism has been an under-reported issue for many years:

*“(the sexual exploitation of children in the context of travel and tourism) ... deserves significantly more attention than it has been receiving as a stand-alone concern.”*²⁵

However, there are significant difficulties in obtaining accurate data about the extent of the issue in different regions of the world.²⁶ As a result, it has been challenging to locate accurate contemporary data regarding the extent of the issue in the Asia Pacific region. Some of the best available regional data relates to 1995-2006.²⁷

²⁰ Report of the Special Rapporteur on the sale of children, child prostitution and child pornography, Najat Maalla M’jid; A/HRC/22/534 page 7.

²¹ <https://www.smh.com.au/national/love-thy-neighbour-australias-shameful-fetish-20081119-gdt3dh.html>

²² Australian Institute of Criminology, Trends & Issues in crime and criminal justice (No 642 December 2021) (How do child sexual abuse live streaming offenders access victims? | Australian Institute of Criminology (<https://www.aic.gov.au/publications/tandi/tandi642>))

²³ UN Special Rapporteur M’jid Report, December 2012, para 12, pg 5.

²⁴ Terminology Guidelines for the Protection of Children from Sexual Exploitation and Sexual Abuse (the Luxembourg Guidelines, 2016), pg 56.

²⁵ The Protection Project, January 2007, Foreword.

²⁶ UN Special Rapporteur M’jid Report, December 2012, para 13, pg 5.

²⁷ International Child Sex Tourism, Scope of the Problem and Comparative Case Studies, The Protection Project, The Johns Hopkins University, Paul H. Nitze School of Advanced International Studies, January 2007 (The Protection Project, January 2007).

The US Department of State is now taking the creation of demand for the sexual exploitation of children in the context of travel and tourism into account as a factor in determining tier placement of countries in its annual *Trafficking in Persons (TIP) Report*.²⁸

An issue for border protection agencies

There has been a significant resumption of international air travel by departing Australians into the region. Australia has a positive role to play as a hub to support tourism in the Asia Pacific region. However,

*“The tourism industry (in the region) impacts children’s lives. Due to economic pull factors of the tourism sector, there is a correlation between child sexual exploitation and tourism.”*²⁹

The role of Australian travellers in the exploitation of trafficked children in the sex industry in several ASEAN countries, particularly Thailand and the Philippines, warrants immediate action. This has been the subject of Australian media commentary in the past:



Proposed action

In light of the concerning ASEAN statistics cited earlier and a specific recommendation from the then UN Special Rapporteur, Destiny Rescue believes that

Australia has an obligation to continue to conduct awareness-raising campaigns directed at departing travellers bound for ASEAN countries. The focus of these campaigns should be to counter the sexual exploitation of children in the context of travel and tourism.

This is one very practical way Australia can support responsible tourism in the region.

Destiny Rescue’s **Pre-Budget Submission 2023-24** recommends that **\$3.65M** be allocated from the ASEAN-ACT Initiative (or other funding source) to fund a ‘Safe Children, Safe Traveller’ campaign directed at departing Australians travelling to Thailand and other ASEAN countries.

Destiny Rescue wishes to collaborate with Australian law enforcement agencies in relation to the implementation of any such awareness raising campaign.

Law enforcement capability

Australian law enforcement agencies have a key potential role to play in this area. All of these travellers, who are perpetrators, pass across the Australian customs border (usually twice per journey). There is a potential role for the ABF in identifying and questioning repeat travellers who may be perpetrators.

The then UN Special Rapporteur made several detailed recommendations relevant to law enforcement agencies, in the context of the sexual exploitation of children in travel and tourism:³⁰

- 99. Sustainable and adapted training (intervention levels) and training of trainers for a common understanding and harmonization of practices should be established:
 - (a) ;
 - (b) Law enforcement officers must be provided with the necessary technical equipment and have the required skills, including how to deal with child sex offenders, evidence collection, use of video testimonies. etc.;

²⁸ The Protection Project, January 2007, Foreword.
²⁹ World Vision - <https://www.wvi.org/asiapacific/childsafetourism>
³⁰ UN Special Rapporteur M’jid Report, December 2012, para’s 99 and 100, pg 7.

100. Sustainable and coordinated transnational cooperation should be established, through:

- (a) Sustainable police and judiciary cooperation, including the exchange of information, investigations, prosecution of every case where a person is suspected or accused of having sexually exploited a child in another country;
- (b) ...;
- (c) Developing and sharing reliable and standardized databases of cases at regional and international level;
- (d) Strengthening and expanding the international alert system to inform and communicate information about individuals having committed criminal offenses and likely to reoffend in other countries;
- (e) Establishing an international and regularly updated registration system of people convicted of sex crimes against children;
- (f) Supporting multi-stakeholder events which disseminate good practices, strategies and practical actions for the tourism industry on child protection as part of responsible tourism;

Conclusion

The issue of Australian law enforcement capability in the area of child exploitation is vital to our community's ongoing efforts to counter this issue.

Australian law enforcement agencies have a key potential role to play in the area of sexual exploitation of children in travel and tourism. All of these Australian travellers, who are perpetrators, pass across the Australian customs border (usually twice per journey). There is a potential role for the ABF in identifying and questioning repeat travellers who are possibly perpetrators.

At the request of the Committee, Destiny Rescue can provide additional insights into trends and changes. □

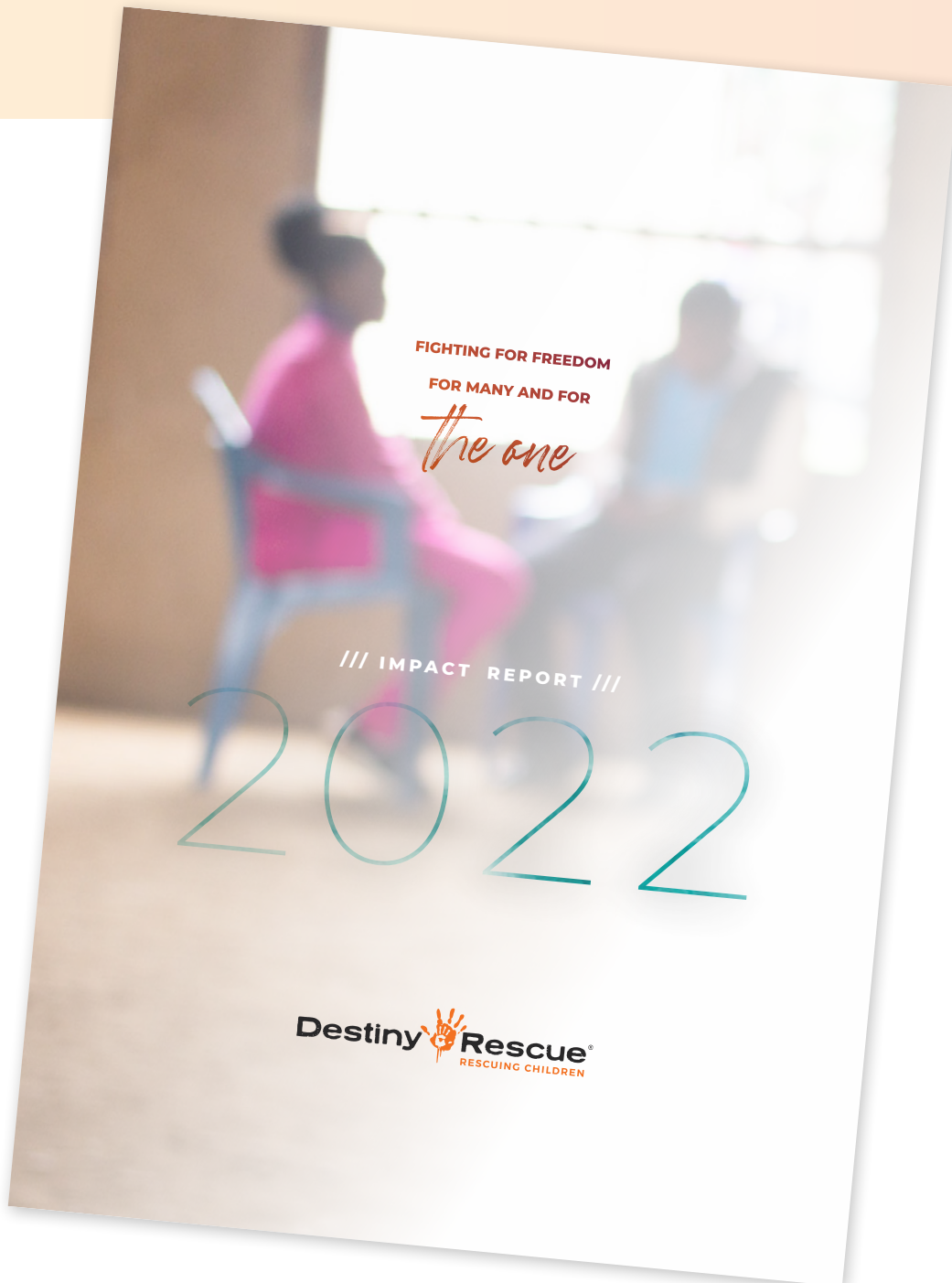
April 2023

Destiny Rescue is aware of the extensive cooperation arrangements currently in place between Australian and regional law enforcement agencies in this space.

Destiny Rescue does not have any specific visibility of the extent to which Australian law enforcement agencies may already be implementing the particular recommendations of the then UN Special Rapporteur.

Appendix 1:
2022 Impact Report

To View the Impact Report - [Click Here](#)



Appendix 2:

Destiny Rescue ASEAN Countries key operations.

Thailand - Since 2003

Destiny Rescue's work in Thailand is registered and conducted in partnership with government and law enforcement authorities.

Maintaining a positive relationship is key to our success and continued work in this country.

In Thailand:

1. Our Agents find and rescue children from sex trafficking through mostly covert and raid rescue methods;
2. After a raid mission, a government caseworker coordinates a survivor's next steps;
3. After a covert rescue, a Destiny Rescue caseworker will facilitate a survivor's transition and placement into a partner organisation's reintegration services;
4. Partners play a key role in our operations. We partner with non-government organisations providing rehabilitation services and skills training for children found via covert rescue;
5. We have 45 organisational contacts that we collaborate with regularly from government, non-government and other sectors; including local authority partnerships such as the Royal Thai Police (RTP); and Department of Special Investigation (DSI).



Online Sexual Exploitation of Children (OSEC) work - Thailand

Since 2003, Destiny Rescue has rescued children from Online Sexual Exploitation of Children (OSEC) in Thailand via covert missions. 63% of all rescued survivors in 2021 were found online.

In 2020, 9% of 12-17 year-old internet users in Thailand were victims of OSEC. Scaled to the population, this represents an estimated 400,000 children subjected to OSEC annually.³¹

To address this growing issue, last year we partnered with a cyber-intelligence tech company to develop a program that enhances OSEC operations. Our technology identifies victims and allows Destiny Rescue and law enforcement agencies to collect/share data, mobile collaboration tools, and computer forensics. This maximises online detection and accelerates joint rescue operations.

Using our existing partnerships, we are training Thailand's local police to deploy this technology (identify leads, locate victims, build cases for rescue and arrest OSEC perpetrators). As a result, we anticipate growth of OSEC leads and victim identification, covert rescue operations, and joint raids with local police.



³¹ Disrupting Harm', INTERPOL, UNICEF and ECPAT International, 2021).



In November 2022, 115 members from five specialist Thai Law enforcement agencies were trained in intelligence techniques to detect and combat internet facilitated human trafficking and the online sexual exploitation of children.

Since November 2022, as a result of collaborative case work with these agencies, Destiny Rescue has initiated 22 cases of OSEC and presented these to Law Enforcement.

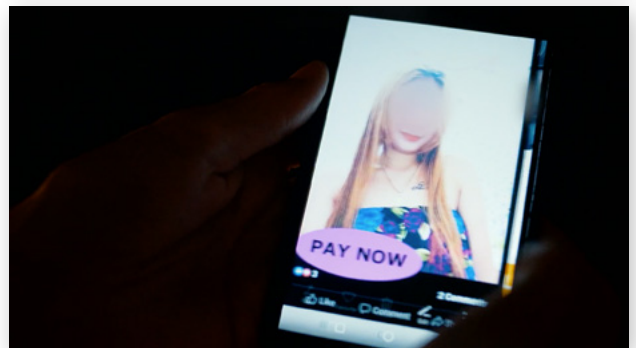
These cases involve over 100 unique victims, 30 perpetrators and over 5,000 child exploitation images.

Thai Government Legislation

Thailand currently has no preventative crime or legislation that protects children from online grooming. Online grooming involves a perpetrator engaging with a minor and enticing them to meet in person for sexual exploitation or share Child Sexual Abuse Material (CSAM) through manipulation, threat or extortion. The crime is described as 'grooming' and is legislated in most countries around the world.

In 2022, Destiny Rescue was the only NGO in Thailand invited by the Thai Government to collaborate on a specialist law change Working Group to develop and initiate this law within Thailand.

In 2022, we participated in this Working Group together with members from the Office of the Attorney General, Law Enforcement Specialist and members from the Thai Parliament. Since this time the law change proposal has moved to its final reading at the Thai Congress and is anticipated to be ratified later in 2023.



Thailand Statistics

Number of Rescues	2022	2021	2020
Total Rescues:	451	95	72
Children: %	31%	83%	86%
Young adults: %	40%	15%	14%
Adults: %	29%	2%	0

Operations with Law Enforcement	2022	2021	2020
Raids:	16	10	11
Arrests	18	13	17

Cambodia - Since 2003

In Cambodia:

1. Destiny Rescue finds and rescues children from the sex industry using mainly covert rescue methods;
2. After rescue, children are enrolled in our Community Care Program where they receive a customised Freedom Plan to help them stay free through our Empower Program;
3. Survivors in Community Care assemble for classes taught by our staff at our office location which include, but are not limited to, employment strategies, daily disciplines, financial management and personal hygiene; and
4. Children needing the care and services of a residential home are referred to like-minded organisations.

Cambodia Statistics

Number of Rescues	2022	2021	2020
Total Rescues:	177	53	38
Children: %	60%	89%	66%
Young adults: %	24%	11%	34%
Adults: %	16%	0%	0%

Operations with Law Enforcement	2022	2021	2020
Raids:	1	-	-



The Philippines - Since 2014

In the Philippines, the sexual exploitation of children extends from red-light districts to hidden chat rooms on the internet.

Our work in the Philippines is registered and conducted in collaboration with government and law enforcement authorities.

Our relationship with the anti-trafficking authorities in the Philippines is strong, including:

- They will request our assistance on specific cases and they have recognised our agents with awards and other accolades;
- Our staff have been invited to participate in anti-trafficking councils, committees and Senate hearings; and
- **Relationships include:**
 - **Local Authorities**
 - Philippines National Police (PNP);
 - Philippines National Bureau of Investigation (NBI);
 - Department of Social Welfare & Development (DSWD); and
 - **National Government Agency**
 - Department of Labor and Employment (DOLE).

Our work is centred around the capital city Manila but also extends throughout the country and into rural provinces. In late 2022, Destiny Rescue also conducted rescue raids in Mindanao.

Destiny Rescue rescues children from sex trafficking primarily via raid missions in collaboration with the Philippines National Police, Philippines National Bureau of Investigation, a national government agency and government social workers.

After a raid, our social workers work alongside government agencies to ensure that the survivors' immediate needs are met including:

- Temporary housing; and
- Care and essential items;
- The authorities then decide on the next steps.

In the Philippines, survivors over 18 are given the choice to enter a Reintegration Program designed for adults.

Philippines Statistics

Number of Rescues	2022	2021	2020
Total Rescues:	128	251	142
Children: %	38%	48%	47%
Young adults: %	45%	46%	44%
Adults: %	17%	6%	9%

Operations with Law Enforcement	2022	2021	2020
Raids:	20*	30	20
Arrests	34	47	29

Note: Children, those under age 18, are always the primary targets of our operations. Typically, these operations also rescue multiple people over the age of 18. For example, if our raid mission is planned to rescue a 15-year-old girl, but we discover she is with eight other young women over 18 years old, our team will rescue all of the victims, not only the 15-year-old.

Because of this, we rescue more young adults and adults than children in the Philippines.

*In 2022, the Philippines rescue team focused on completing a rigorous licensing process with the **Department of Social Welfare and Development (DSWD)** which restricted our operational mobility resulting in lower raid and rescue totals than previous years. The license increases our legitimacy and is crucial to our continued success in the country.

Appendix 3:

Destiny Rescue Limited (Australia) Annual Report, 2021

To View the Annual Report - [Click Here](#)



Appendix 4: Educating and Engaging an Australian Audience

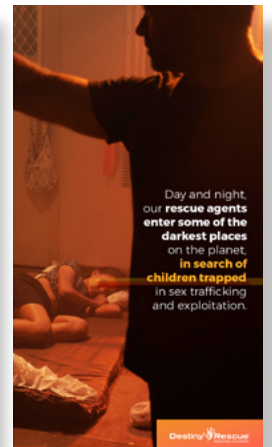
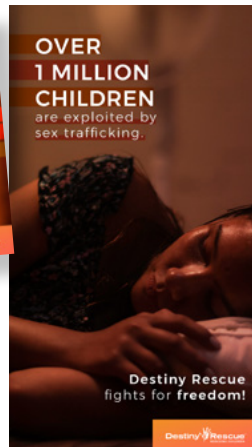
We have over 20 years of experience designing and executing public awareness campaigns to the Australian public to counter the sexual exploitation of children, including:



'STOP TRAFFICKING' TV CAMPAIGN

In 2022, Destiny Rescue's **Stop Trafficking TV Campaign**³² reached **over 3 million Australian homes** on the east coast.

'STOP TRAFFICKING' SOCIAL MEDIA ASSETS



A digital campaign ran alongside *Stop Trafficking TV Campaign*, resulting in over **13,000 Australians** pledging to take a stand against the sexual abuse and trafficking of children across the globe.



MEANINGFUL CONVERSATIONS

In 2021 alone, Destiny Rescue held over **6,000** meaningful conversations with supporters of our cause, with **5,477 people contributing \$4.3 million** (helping to **rescue 2,386** individuals).

³² <https://vimeo.com/manage/videos/713950102/ade6361808>

Educating and Engaging an Australian Audience (continued)

DESTINY RESCUE PUBLICATIONS

In 2021, our publication **Mythbusters** was released to counter the top misconceptions relating to child sex trafficking in South East Asia (available in both electronic and hardcopy form), and was **distributed to 45,000** individuals. We also published a document educating the public on how to talk about the issue of child trafficking.



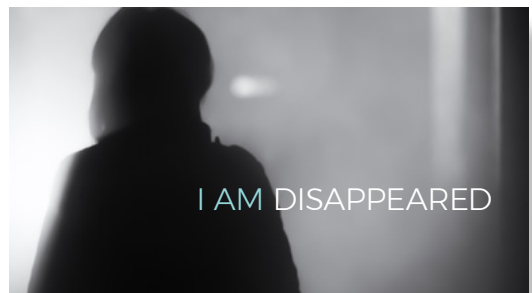
Australian women are **rescuing children from the sex trade.**
Scan the QR Code to learn more.
#iRescue
Join the Movement
Destiny Rescue
www.destinyrescue.org

WOMEN'S MAGAZINE ADVERTISING

In 2022, we engaged with Real Woman Magazine, which is distributed to **140,000 per edition**, to educate women on the subject of rescuing children from the sex trade, and inviting them to join our #iRescue movement.

I AM DISAPPEARED CAMPAIGN

In June 2021, stories and videos describing the reality of trafficked victims were used in a campaign called, 'I Am Disappeared'. The campaign **reached 70,000 people** – and **3,000 gave** a gift with funds equivalent to **780 children being rescued** as a result of the Australian public support.



SOCIAL MEDIA REACH

In 2021 we shaped and ran an innovative social media campaign, resulting in approximately **370,000 people engaging with Destiny Rescue content** relating to the issue of trafficking.

Destiny Rescue
Rescuing children
from human trafficking & sexual slavery



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