

Baroness Thornton: My Lords, I declare an interest through my long association with NCH, the children's charity. I thank that body, other major children's charities, ISPA, and other organisations for their helpful briefings prior to the debate.

I am pleased to be able to speak in the debate and to welcome the Bill, both because of the way in which it will modernise the law relating to sexual offences in general and, in particular, because of the way in which it will modernise the laws relating to sexual offences against or involving children.

The use of the word "modernise" is singularly apt in this context, not least in relation to the various clauses which seek to deal with some of the consequences of the development of the Internet as a mass consumer product in our society. In the remainder of my speech I intend to focus on two of those consequences, expanding in many ways on the remarks of my noble friend Lady Gould.

The issue I wish to speak to first is dealt with in Clause 17, which, as many noble Lords said, creates the new offence of "grooming". It is unfortunate that we have not been able to find a better word to describe the kind of conduct that the clause addresses. But anyone who saw [James Westhead's](#) excellent piece on "BBC News" last week will have been left in no doubt

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about the very real dangers that children can face through their use of Internet chat rooms and the existence of a class of adults, a kind of person, who has a sexual interest in children and who, knowing how popular Internet chat rooms are with children, entirely cynically, goes to them expressly to find perhaps the vulnerable, the naive, the unwordly child, the innocent child.

Typically the adult will present himself as being only a year or two older than the child he is targeting. These people can be very adept at communicating with children. They will know all about the latest bands and groups, films and fashions, who is in, who is out, what is cool and what is yesterday. They are willing to spend weeks, months, even longer, developing a relationship with the child through a chat room. Again, typically, they will try to persuade the child to keep their communications a secret, not to tell parents or to keep any records of their e-mails to each other. In the end, their aim is to engineer a real-world meeting with the child where the child will then be at great risk.

As my noble friend Lady Gould said, we know of at least 16 or so instances in the UK where children have gone to such meetings and have been raped. We know about them because in each case the men responsible were caught, convicted and sent to prison. We do not, of course, know about those cases that went unreported, or where the police were unable to bring a prosecution for want of evidence, but we can be fairly certain that they significantly exceed 16.

In [Mr Westhead's](#) piece we were told that over a period of two weeks his [investigator](#), who [posed as a 14 year-old girl](#)—this one child in a single local chat room—was approached by no fewer than 30 different people. In that instance, the person who finally turned up to meet the [14 year-old girl](#), and who had to be released without charge, was indeed an older man. He admitted to the BBC reporter, on television, that he had been seeking improper relations with the child.

This brings us to why the new clause is so important. Because of case law, at the moment the only power the police have to make an arrest in such circumstances is under the existing laws of attempt. If the police are to intervene and make an arrest for an attempt to have unlawful sex with a minor, the would-be perpetrator more or less has to have his hand on the child and very obviously be about to commit an illegal sexual act. I say that is wrong. Surely we must be able to intervene much earlier in the process and prevent the child and the adult having to get into such close physical proximity.

It is very likely also that, within the so-called grooming process, the child will already have been damaged and psychologically abused by the adult. It is absolutely wrong to have to insist that the child is once again put in harm's way, to risk the child being further traumatised, by having to go to meet the potential rapist in real life and allowing him to get close enough to the point where a sexual offence is about to be committed. At present those are the only circumstances in which an offence is committed.

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The question we must ask—a question I would address to Liberty—is why would an adult go into an Internet chat room, strike up or engineer a relationship with a legal minor, someone he knows to be a child, and then arrange to meet that child alone and in secret without the child's parents knowing or giving permission? Let us be clear: these are exactly the kind of situations that the clause is intended to address. Any child who went to such a meeting would be putting himself or herself in great danger. While I am aware that many meetings have been arranged via Internet chat rooms that have not resulted in catastrophe, here we are talking about a very specific type of meeting: we are not talking about children arranging to meet other children but about adults arranging to meet children.

If an adult had a good reason for wanting to meet a child in real life, a child whom he had first met on line, there is a perfectly straightforward way of doing so. He should ask the child to get his or her parent or carer to talk to him and then insist that the parent or carer comes along, at least to the initial meeting. If any adult does not do that or, on the contrary, suggests that the discussion between them be kept secret and that the child should come alone to the meeting or accompanied only by another child, then we are entitled to be gravely anxious.

That is exactly the kind of evidence that will be required to justify an arrest and a charge under this