

# Child pornography and hate speech in class group chats

## Info letter to all schools in the cities of Cologne and Leverkusen

Dear Sir or Madam, dear parents and legal guardians,

Over the past few months, an increasing number of schools has contacted the police asking us for help because they have discovered child pornographic images/videos or incitement to hatred in pupils' group chats, on social media, WhatsApp, Messenger etc. and are unsure how to deal with the situation.

### Information you should communicate to your children:

- Possession (including short-term), procurement and dissemination of child/youth pornography are criminal offences. At the bottom of every image/video, there is real sexual abuse. The police is entitled to confiscate mobile phones (with all contact data, photographs, and other data) as means of crime, even from children under the age of criminal responsibility; to reset the phone to default settings; to withhold it temporarily; or to permanently confiscate it in particular cases.
- When receiving such content: do under no circumstances disseminate it, and inform the sender about the criminal liability! Have the parents report the crime to the police (can be done online).
- Leave group chats in which such content is disseminated.
- Inform the website operator or the police when discovering content including pornography, incitement to hatred, or Nazi symbols such as the swastika on the Internet/social media.

**Please feel free to contact us with any questions you might have with regards to this matter:**

Polizeipräsidium Köln

Kriminalkommissariat Kriminalprävention/Opferschutz

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## Child pornography and hate speech in class group chats/on social media

**At a glance:** Reporting a crime, criminal prosecution

Police	<ul style="list-style-type: none"> <li>Recording charges; gathering facts of the case; determination of personal data of witnesses/victims and offender(s); securing evidence;</li> <li>Hearing/examination of the parties; seizure; securing and analyzing data;</li> <li>After closing police investigations: handing over to Public Prosecutor.</li> </ul>
Public Prosecutor	<ul style="list-style-type: none"> <li>Assesses: dismissal of the case or summary penalty order or indictment.</li> </ul>
Court	<ul style="list-style-type: none"> <li>In case of indictment: hearing of the parties. Physical evidence. Evaluation. Judgement.</li> </ul>

**Measures (using class group chats as an example):** pornography and/or racism

Police check for elements of a criminal offence	Evaluating content of images/chats	
	<b>Dissemination</b> of pornography <b>Possession</b> of child/youth pornography (under 18 years) <sup>1</sup>	strafbar
	Seizure of mobile phones	Return after approx. 6 - 12 weeks (resetting to default settings possible)
	Confiscation as means of crime	Destruction/exploitation

The list of measures is not exhaustive.



<sup>1</sup>) Every member of the class group chat possesses the image/video as they need to download the file to their mobile phone in order to watch it