

## **Pornography: record of a crime**

At the first World Congress against Commercial Sexual Exploitation of Children in Stockholm in 1996, one issue of great concern was how to meet the new challenge posed by the transmission and sharing of pornographic images of children on the relatively recent medium of the Internet. Since then, while there has been a proliferation of pornography, including child porn, on the Net, it is also true that police, Internet Service Providers and NGOs have considerably upgraded their own skills in tracking the movement of child porn, identifying its sources and bringing to justice those who upload and download it.

Since 1996, facilitated by revisions to laws criminalizing the distribution and possession of child pornography over the Net, there have been numerous police operations – often involving police forces in several countries working together – to raid the homes and computer files of both suppliers and clients of ‘kiddie porn’. In some cases, the men (and very occasionally women) caught in such raids have had a wider sexual interest in children; in others, there is no evidence that criminal activity went beyond the possession of pornographic images. In such instances, there is often debate about why the simple possession of child pornography should be considered so serious. What is so criminal, some argue, about downloading a few lewd pictures for personal titillation?

The answer is simple: child pornography is almost always the record of a crime being committed. The children who appear in such pictures are, at the time the picture is being taken, subjected to degrading and humiliating acts of a criminal nature. In some of the imagery, they are beaten or burnt or are subjected to torturous sexual depravities. When made to pose in lewd situations with others, including other children, they are subjected to psychologically distressing manipulation. No pornographic picture of a child has been produced without the child’s suffering.

### **Long-term impact on the victims**

Long after the child has grown up, he or she knows that someone, somewhere, may be looking at their picture, witnessing their degradation and distress. So people who download such images are not benign collectors or simply curious. They are accomplices in crime, perpetuating the lucrative trade that destroys a child’s dignity and, in the most severe cases, their health and perhaps their life.

The Los Angeles Police Department estimates that, of 700 child abusers arrested over a ten-year period and convicted of extra-familial child sex crimes, more than half had child pornography in their possession and 80 per cent owned either child or adult pornography. Between 1986 and 1988, the UK NGO ChildWatch found that, of the 27 child abusers convicted in these two years, six were producing child porn during the abuse and all had child pornography in their possession. There are thus clear links between the sexual abuse and exploitation of children and the production and possession of child pornography.

Because of its illegal nature, the availability of child pornography is not subject to statistical analysis with the same regularity and accuracy as adult porn. The figures relating to e-trade of adult images, however, give some indication of the explosion of e-business aimed at satisfying the appetite for pornographic images: in 1996 already, a survey by US market research company Forrester estimated sales of adult pornography from web sites worldwide at US\$52 million a year, then equal to one-tenth of all e-business done. In April 2001 a Google search for child pornography brought up 425,000 hits. Clearly child pornography is a sizeable business.

While the Internet and other new technologies such as [w@p](#) telephony make mass distribution easier and potentially more difficult to intercept, however, the central issue to tackle remains not the distribution of child pornography but its production. The creation of police databases of pornographic images has allowed law enforcement agencies to learn much more about the children who appear in such pictures. Whereas only a decade ago many of the photographs in circulation were old pictures, in recent years many new images have been identified. This means that photographs are still being produced – and children are still being sexually exploited and photographed.

### **The capturing of images**

To some extent the production of child pornography has been made easier and safer for the criminal by the advent of digital technologies. Where once amateur producers of pornography had to take their photos or film to be processed and developed, new technologies allow them to make analogue or digital video and still photos that can be uploaded directly onto a web site or stored in a computer file.

Digital technology has also allowed child pornography to be produced without a child being present, introducing into the review of laws on child porn issues that are complex and that go beyond the argument that child pornography records a criminal act. Producers of child porn are now able to use the special effects available on computer software programmes to morph adult images to make them look like children, or even create ‘virtual’ children. Since many laws relating to child pornography presume the presence of a real child, morphing falls outside them. This challenges law makers to confront the fact that, since child pornography may be complicit in promoting child sex and is often used to coerce children into sexual activity, many argue that it should be criminalized even if no real child is involved. This debate continues.

If production of child pornography, real or virtual, is to be eliminated, it is important both to reduce demand (making the trade less profitable) by criminalizing possession of child pornography and pursuing those who seek it out or even acquire it out of curiosity; and to continue to collect and analyse the images in police databanks so that the children can be identified and traced, potentially also opening doors to identification of the exploiters.

### **History of exploitation**

Despite a much-repeated belief that traditional child pornography is disappearing altogether with the onslaught of digital images and electronic transmission, the US Customs and Postal Inspection Service reports that much of the child pornography it seizes still contains home-made videos and that pornographers still rely heavily on the mail to exchange video tapes and computer disks. Amateur child pornography continues to provide paedophile and non-paedophile exploiters with the images they collect not only for sexual gratification and to ‘fix’ the age of the child, but as membership requirements of abuser networks.

Similarly, the long-established market in child erotica continues to flourish in many countries, pushing the boundaries of what is pornographic and what is not, and testing laws and public acceptance. Toys, games, catalogues, erotic fiction and cartoon magazines aimed at satisfying the desire of some people for sexual pleasure involving children continue to be available in countries from Switzerland to Japan, and to perpetuate the belief that children are legitimate sexual commodities.

Part of a tradition that stretches back centuries, the consumption of sexualized children for adult pleasure developed quickly in the early 1970s to become a thriving commercial enterprise, in the process becoming increasingly hardcore and pornographic. Most of the children depicted were Caucasian, many from the US, and many of their images continue to circulate. Some of the children were from India, Mexico and Africa. The growth in child sex tourism in the 1980s and 1990s increasingly saw images of

children from Asia and Eastern Europe being added to the stock, as exploiters filmed their crimes and shared the evidence. This essentially amateur capturing and exchange of images continues to be a significant source of child pornography alongside materials specifically produced for commercial profit. In the child pornography market, there is little evidence of the participation of organized crime.

Whatever form child pornography takes – whether on paper or electronic, sent by mail or along digital phone lines, for commercial profit or personal satisfaction -- efforts continue to criminalize, intercept and track it at all stages of the process from production to distribution to possession.

### **New threats**

Now child sex exploiters are finding other ways to take advantage of new technologies to target children in a different way.

The stalking of children via the Internet has become a serious problem, and new mobile communication technologies such as SMS (short message service) have provided another avenue for exploiters to contact children without parents and care-takers knowing what is happening.

In recent years paedophile and non-paedophile sex abusers have been arrested after arranging to meet children they have befriended in Internet chat rooms or via message services. Usually the abusers pose as younger men or boys, gain the child's confidence by lying about their age and sharing secrets that encourage trust. Eventually they suggest a meeting. Invariably the child has kept this cyber-friendship a secret from parents and perhaps friends. The intimacy of the Internet allows the child to construct a fantasy friendship and play it out in isolated security – until the friend stops being an e-mail address and becomes a flesh and blood person they are going to meet.

It is true that Internet stalking does not involve a commercial transaction. To this extent it falls outside the narrowly defined heading of commercial sexual exploitation, but children who are lured into early and abusive sexual encounters become vulnerable to a number of risks, including trauma and alienation, coercion and kidnapping, trafficking and exploitation.