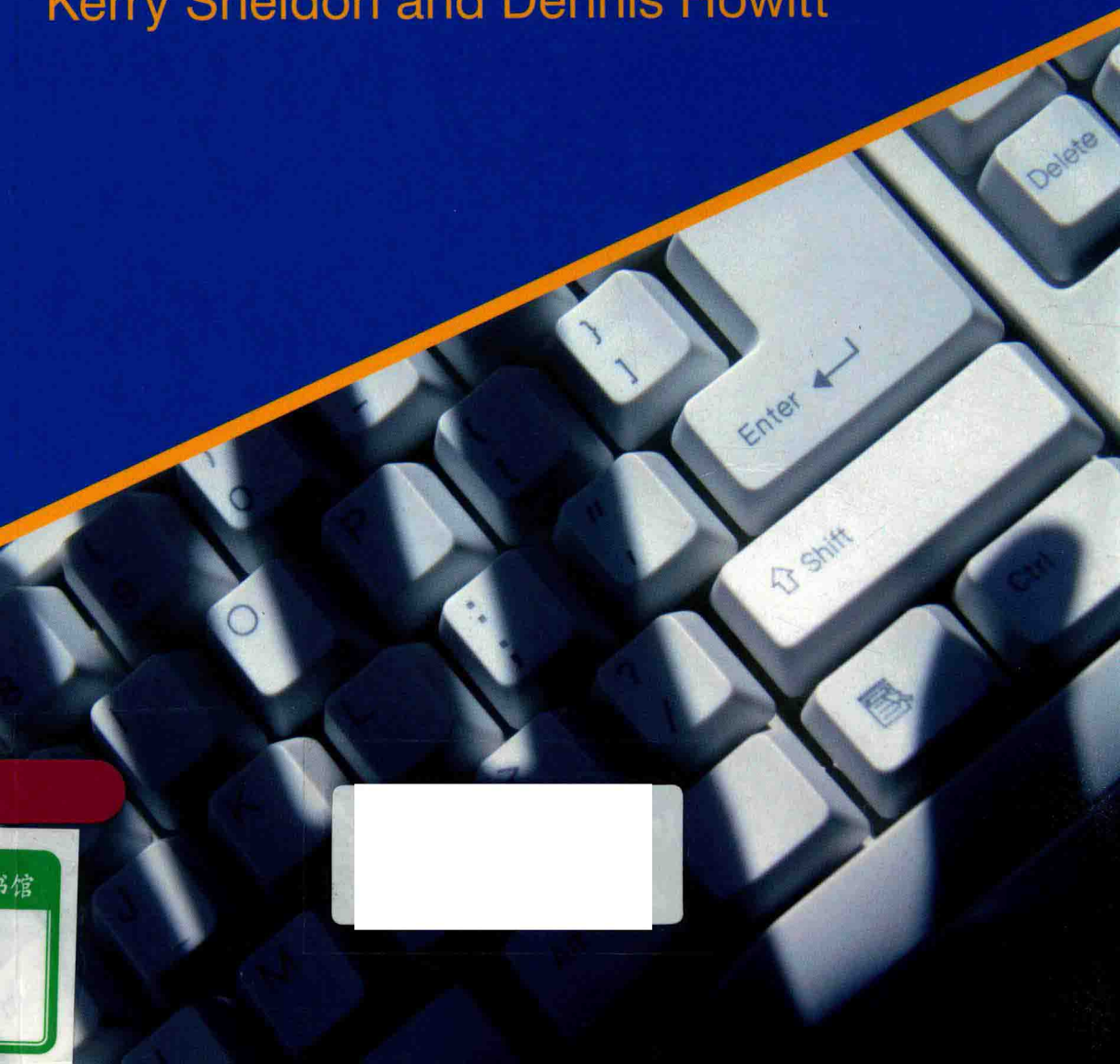


Sex Offenders and the Internet

Kerry Sheldon and Dennis Howitt



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Kerry Sheldon

Psychology Department, University of Gloucestershire, UK

and

Dennis Howitt

Department of Social Sciences, Loughborough University, UK



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Sex Offenders and the Internet

About the Authors

Kerry Sheldon is Lecturer in Psychology and Criminology at the University of Gloucestershire. She trained in investigative psychology at the University of Liverpool before obtaining her PhD in psychology at the Department of Social Sciences at Loughborough University. In between these, she worked for the probation service in sex offender treatment where she first encountered Internet sex offenders. She has substantial publications in the field of sex offending and the Internet.

Dennis Howitt is Reader in Applied Psychology in the Department of Social Sciences at Loughborough University. He is a Fellow of the British Psychological Society and a chartered psychologist. His books in the field of crime and sex abuse include *Paedophiles and Sexual Offences Against Children* (Wiley, 1995), *Crime, The Media and the Law* (Wiley, 1998) and *Child Abuse Errors* (Harvester Wheatsheaf, 1992). He is author of *Introduction to Forensic and Criminal Psychology* (2nd edition, Pearson Education, 2006). He has published books in the field of race with Kwame Owusu-Bempah including *Psychology Beyond Western Perspectives* (British Psychological Society, 2000) and *The Racism of Psychology* (Harvester Wheatsheaf, 1994). Amongst his well-known methods textbooks with Duncan Cramer are *Introduction to Statistics in Psychology* (4th edition, Pearson Education, 2008), *Introduction to SPSS in Psychology* (4th edition, Pearson Education 2008) and *Introduction to Research Methods in Psychology* (2nd edition, Pearson Education 2008).

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Contents

About the Authors	vii
Acknowledgements	ix
1 Sex Offending on the Internet	1
2 The Issue of Child Pornography	23
3 What we Know about Paedophilia	41
4 Creating and Controlling the Internet Sex Offender	71
5 What Internet Sex Offenders Do	93
6 The Childhood Histories of Paedophiles	123
7 Sexual Abuse and Sexualisation in the Childhoods of Paedophiles	139
8 Coping with Life through Abuse and Child Pornography	161
9 Relationships in Childhood and Adulthood: Security and Attachment	173
10 Sexual Fantasy and Paedophile Offenders	189
11 Distorted Thinking	207
12 Desisting from Child Abuse	225
13 Epilogue: What has been Learnt and What shall we Do?	239
References	255
Author Index	281
Subject Index	291

CHAPTER 1

Sex Offending on the Internet

We all know two basic things about the Internet: that it has changed our lives and that crime is rife. This book is concerned with how the Internet has changed the lives of sex offenders and created, in effect, a new category of sex offender – the Internet sex offender. The Internet has been characterised as a chaotic, lawless, and dangerous place – a digital Wildwest. Quite what this means in relation to sex offending against children is open to question. Despite what is often assumed, the Internet and the World Wide Web ('WWW' or 'the Web') are not the same thing. The Internet is a system or network of interconnected networks of computers that carries information such as email, files, online telephone services, and other forms of chat online. The WWW first began to be available to the public in 1991 and greatly facilitated the use of the Internet. It is just a subpart of the Internet and operates much like a stack of computer files (for example, text, images, and videos) accessed through the Internet. Along with email, the Web was responsible for the Internet's growth in popularity in the early 1990s (Renold *et al.*, 2003). Web browsers allow users to interact with WWW information.

The immediate dangers of the Internet are more than apparent after just a few moments surfing with the Internet service provider's content filters switched off. Searching using the keyword 'pornography' produces a seemingly infinite display of pornography. Our search resulted in images of group sex, male masturbation, 'fisting' (insertion of a fist into a vagina or anus) – plus a Web site on which the public are invited to post indecent pictures of themselves as an act of political protest! And this was only the start of our search. The material available can be extreme but, nevertheless, our search did not produce an avalanche of child pornography. Some sites refer to schoolgirls or teens but the images they present are of sexually mature women. References are made to 'barely legal' pornographic models but clearly illegal pornography simply did not appear. The so-called free-for-all of the Internet seems to be something of a misrepresentation. Of course, this may merely reflect the success of attempts to police the Internet and it should not be taken to mean that child pornography is unavailable via the Internet – merely that an unusual degree of determination and skill is needed in order to find it.

Not everyone using the Internet does so innocently. Perhaps the most dramatic evidence of this is the work of Demetriou and Silke (2003) who set up a 'bogus' Web site called *Cyber Magpie*. It was registered with Internet search engines, so enhancing its likelihood of being seen by people browsing. A number of hyperlinks were provided that allowed the user to:

- download legally available shareware and freeware;
- download well-known games such as *Tomb Raider*, which are commercially protected;
- view softcore pornography featuring men or women;
- view hardcore pornography;
- obtain XXX passwords that would give them access to illegal pornography sites (pay-to-view sites).

When the material was illegal, the links on the site were not functional. Of course, the purpose of this site was to examine what Internet users 'do' when faced with these temptations so, unknown to the users, the researchers were tracking the activity on the site. Very few users found the site while surfing the Internet for pornography. In fact 93 % of visitors to the site initially were seeking legal shareware or freeware. Nevertheless, 45 % of the users clicked the link to the softcore pornography on the site and rather more (60 %) chose the hardcore pornography link. Thirty-seven per cent went on the illegal pornography passwords page. Things were similar in terms of the games: 38 % of visitors to the site went to the illegal game download section, for example.

The conclusion is inescapable. Even when engaged in a perfectly legal activity such as searching the Internet for freeware to download, many users can be sidetracked into illicit activities. Demetriou and Silke (2003, p. 220) claim that 'On the Internet, the opportunity to commit crime is never more than three or four clicks away.' This offending is almost a byproduct of surfing the Internet. In comparison, it is not quite that easy for Internet child sex offenders – many mouse clicks and a great deal of knowledge is required before they find the child pornography they desire.

New technologies and pornography have gone together for decades, if not centuries. Photographs, movies and video are examples of new technologies that have enabled the production and consumption of pornography. The telephone's contribution perhaps is the indecent phone call and phone calls to sex lines; CB radio was used by prostitutes to contact possible clients (Luxenburg and Klein, 1984). Although the sex industry does not invent these technologies, it is responsive enough to be among the first to take advantage of the new media (Durkin and Bryant, 1995; Griffiths, 2000) and so took to the Internet quickly. It is said that in the 1980s the main users of the Internet were government, university academics and pornography seekers (Sprenger, 1999). The Internet provides a wide range of pornographic material (Fisher and Barak, 2000) ranging from conventional *Playboy*-type material through hardcore to the bizarre (for example, alt.sex.bondage.goldenshowers.sheep) (Griffiths, 2000).

Sex is claimed to be the most searched-for topic on the Internet (Freeman-Longo and Blanchard, 1998). Similarly, Sparrow and Griffiths (1997) analysed a million word searches on a search engine and found that the majority searched for pornography; the top eight word searches used terms related to pornography. However, these findings are not matched by other reports concerning the most popular Internet searches. For instance, Google, the US search engine reported its 10 most popular Internet searches in 2006. These included searching for video clips from Youtube.com which was the most popular search, the World Cup, the death of Steve Irwin, TV programmes *Prison Break* and *Big Brother*, Wiki (an online database), the lottery results, and the weather (Hickman, 2006). Other statistics suggest that the top ten searches do not include pornography but rather things like lottery results, horoscopes, tattoos, lyrics, ring tones, hairstyles, jokes and TV programmes (Burns, 2005).

SEX AND THE INTERNET

Many of the activities and motivations of sex offenders on the Internet are redolent of those of many non-offending Internet users. There are numerous ways in which the Internet can or could be used for sexual purposes (Griffiths, 2000). The diversity is perhaps surprising and includes, according to Griffiths the following (Griffiths, 2000, pp. 537–8):

- Sex education: Web pages, discussion groups, and other aspects of the Internet may help the user to find materials for the purpose of sex education.
- Commerce involving sexually related goods: this would include the buying and selling of such items as sex books, sex videos, sexual aids, contraceptives and so forth for use offline.
- Online sexual entertainment and masturbation: the user seeks Web sites that permit the exploration and purchase of picture libraries, videos, online peep-show access, and textual materials perhaps in the form of access to chat rooms.
- Sex therapists: using the Internet to obtain details of sex therapists to consult for advice.
- The search for enduring intimate partners such as by using online dating agencies.
- The search for transitory sexual partners such as prostitutes or swingers.
- The identification of individuals via the Internet who will become the targets of sexually related crime. Examples of this would include cyberstalking and the grooming of children online.
- Online-only relationships. These would involve the initiation and maintenance of relationships through Internet resources such as email or chat-rooms.
- Gender and identity role creation. This may involve the creation of new personas online, which are used in online relationships.
- The seeking of digitally manipulated images for sexual entertainment or masturbation. This might include celebrity fake nude photographs where a

celebrity's face is superimposed on a picture of another person's naked body.

Virtually any of these could apply to the online behaviour of men with a sexual interests in children, of course.

Using the Internet for sexual purposes is often regarded in academic discussions as being either (a) 'pathological' or (b) 'adaptive' (Barak and King, 2000; Cooper *et al.*, 1999). An adaptive perspective of Internet-related sexual behaviour is provided by Cooper and Sportolari (1997) who examined the notion of romance in cyberspace. They coined the term 'computer-mediated relating' (CMR) to describe the interactions taking place through the use of electronic mail (email). Rather than 'computer-mediated relating' promoting superficial relationships, online relating has a number of much more positive aspects. Predominantly, it reduces the importance that physical attributes can play in the development of attraction as well as promoting a focus on other factors such as propinquity, rapport, mutual self-disclosure, emotional intimacy and shared interests and values. It increases the chance of meeting like-minded others particularly for people who have difficulty meeting with people face-to-face (for example, someone who is overweight). Users can experiment by exploring more inhibited parts of their personalities and online communication allows individuals more control on how they present themselves including the freedom to deviate from typical gender roles (Turkle, 1995).

The Internet may also offer the opportunity for the formation of online or virtual communities in which previously isolated, disenfranchised individuals can communicate with each other around sexual issues (such as gay, lesbian, bisexual, transgender and abuse issues) with less fear of prejudice and discrimination (McKenna and Bargh, 1998). These individuals can become the 'majority' in their own community (Cooper, McLoughlin and Campbell, 2000). For instance, early work studied participants in Internet groups devoted to stigmatised aspects of identity – that is aspects of them that were potentially embarrassing and tended to be kept secret even from family and friends (such as homosexuality, bondage, sexual spanking or, fringe political groups) (McKenna and Bargh, 1998). The more that the Internet group members participated in the groups through, say by posting messages, the more they incorporated the previously taboo aspect of their identity into their self-concept. Feelings of self-acceptance of the stigmatised aspect were enhanced and they had a greater tendency to 'come out' to important friends and family.

Internet chat rooms have also become an acceptable way of meeting and dating other persons (King, 1999). Similar patterns have been found in the gay subculture. For instance, Tikkanen and Ross (2000) interviewed gay Swedish men who used the Internet and found that six out of 10 young men who used chat rooms had experiences of physically meeting at least one sexual partner. A quarter of the men had also met their current long-term partner in a chat room. So there was some connection between the offline world and the online world.

It could be argued that these positive features of the Internet become negative ones in the hands of paedophiles. The 'pathological' view of Internet sexuality dominates the literature. Durkin and Bryant (1995) argued that 'cybersex' allows a person to operationalise sexual fantasies that would otherwise have self-extinguished if it were not for the reinforcement of immediate feedback provided by online interactions. Early work suggested that sex offenders misuse the Internet in several ways; to traffic child pornography; to locate children to molest; to engage in inappropriate sexual communication with potential victims; to communicate with other persons with similar interests; and to form online communities and bonds (Durkin, 1997; Durkin and Bryant, 1995; Mahoney and Faulkner, 1997). Even the idea that the Internet may empower people who have otherwise felt marginalised (Granic and Lamey, 2000) has relevance for paedophiles who are traditionally an isolated group (Quayle and Taylor, 2002a). Quayle and Taylor (2002a) argue that the Internet may allow paedophiles to communicate freely with each other and that this may (a) reinforce the belief that their behaviour is valid and normal and is an expression of 'love' and not abuse and (b) that the Internet is a relatively safe environment to exchange images and text. Additionally the Internet may allow users to try out new roles and even to switch genders (Turkle, 1995) but this can include the paedophile who misrepresents himself in order to gain access to pornographic images and/or to facilitate communication with children.

The pathological view is consistent with a medical model of social problems – one common way of conceptualising pathological Internet use is the notion of 'Internet Addiction' or compulsivity (Bingham and Piotrowski, 1996; Durkin and Bryant, 1995; Cooper *et al.*, 1999; Griffiths, 2000; Putnam, 2000; Young, 1996, 1997a, 1997b; Young and Rogers, 1998). Problems associated with Internet use have also been reported in relation to other online behaviours such as gambling (King, 1999; King and Barak, 1999).

Internet addiction is generally characterised by behaviours such as investing more and more time in Internet behaviours to the detriment of other behaviours (such as spending time with family); negative feelings when offline; increasing tolerance to the effect of being online; and denial that there is a problem (Kandell, 1998, p. 1). It is argued that any Internet behaviour (such as downloading pornography, Web surfing, online gambling) can be defined as an addiction as long as it meets certain criteria such as salience, mood modification, tolerance, withdrawal symptoms, conflict and relapse (Griffiths, 2000). This perspective regards Internet addiction as behaviourally similar in character to other dependencies and compulsions and individuals who meet these criteria are thought to experience social, psychological and occupational harm (Caplan, 2002). Individual vulnerabilities related to the aetiology of compulsive online sexual behaviour are similar to those discussed in the literature (for example, Coleman, 1992) relating to sexually compulsive behaviour off-line (Putnam, 2000) including depression and difficulty coping with stress (Cooper *et al.*, 1999) and interpersonal difficulties (Putnam, 1997). Factors unique to the Internet such as *anonymity*, *accessibility* and *affordability* help with Internet-use initiation (Barak and

Fisher, 2001; Cooper, 1998; Cooper, McLoughlin and Campbell, 2000; Cooper and Sportolari, 1997).

Research, some argue, has failed to show conclusively that Internet addiction or Internet sex addiction exists except, perhaps, in a small percentage of people (Griffiths, 2000). There is an overreliance on self-report measures, the criteria used for addiction lack the dimension of severity, there is no temporal dimension, there is a tendency to overestimate the prevalence of problems and no account is taken of the context of Internet use (Griffiths, 1999). Moreover, much of the research tends to focus on how theoretically and operationally to define 'pathological' or 'addictive' Internet use rather than on testing theories (Beard and Wolf, 2001). Terms vary from 'pathological' (Cooper *et al.*, 1999) to 'excessive', 'maladaptive' (Caplan, 2002) and 'problematic' (Taylor and Quayle, 2003) and there are no standardised criteria for 'addictive' use of the Internet. Beard and Wolf (2001) were also critical of the term 'addiction' and raise the question of what it is that the individual is addicted to. The computer? The typing? The information gained? The anonymity? The types of activity in which the individual is engaged? Each of these may have a role to play in making the Internet reinforcing (Beard and Wolf, 2001). According to research by Meerker *et al.* (2006), use of erotica on the Internet is the factor that most predicts Internet addiction. Interestingly, the notion of 'addiction' is found to be a common description (or justification) employed by men who download and use Internet child pornography (Quayle and Taylor, 2002b).

Recent reviewers suggest that the addiction framework suffers from three flaws; a lack of conceptual or theoretical specificity (Caplan, 2002; Davis, 2001; Shaffer, Hall and Vander Bilt, 2000), a paucity of empirical evidence (Beard and Wolf, 2001; Caplan, 2002) and a failure to account for what people are actually doing online (Caplan, 2002). Chou, Condon and Belland (2005) review ideas like these and other findings concerning Internet addiction more positively.

In the context of child pornography, Quayle, Vaughan and Taylor (2005) suggest that escalating and problematic Internet use may not only be a function of the specific contents of the material but also a function of the role that the Internet plays in meeting emotional needs. They found that some of the psychological functions of child pornography that emerged from their interviews with Internet sex offenders (Quayle and Taylor, 2002b) corresponded with seven subcategories derived from a questionnaire exploring general problematic Internet use in non-offenders (Caplan, 2002):

- mood alteration;
- perceived social benefits available online;
- negative outcomes associated with Internet use;
- compulsive Internet use;
- excessive amounts of time spent online;
- withdrawal symptoms when away from the Internet;
- perceived social control available online.

CHILD PORNOGRAPHY AND THE INTERNET

Much of the concern about the Internet and sex offending centres on the issue of child pornography. As far as can be ascertained, child pornography is the major activity that constitutes Internet-related sex crime at the present, certainly in terms of convictions. There are other crimes, as we will see, but concern about the Internet and child sex offences has quintessentially involved indecent child abusive images of children. Child pornography existed before the Internet. However, public concern and interest in the topic was not intense and academic interest in the topic minimal. This is surprising given the intense political activity involving social scientific research applied to adult pornography since the 1960s. Few social scientific research topics have been as at the centre of attention from government. There are numerous examples of 'government' committees and commissions to investigate the effects of pornography (for example, Commission on Obscenity and Pornography, 1970; Committee on Pornography and Prostitution, 1985; Everywoman, 1988; US Attorney General's Commission on Pornography, 1986; Williams, 1979). The number and cost of such investigations suggest that they served a major political purpose. Interest in child pornography, in contrast, has never resulted in the equivalent levels of research activity. There is a sense in which the issue of child pornography is so ideologically constrained that research may be regarded as superfluous. Before the Internet, child pornography was considered to be a small and specialist issue – an adjunct to the broader problem of pornography of all sorts.

Since the early 1990s there has been considerable change in how child pornography is represented – this is not simply that the issue has had an increased salience but that child pornography has been redefined to de-emphasise its erotic aspects and to promote the idea that child pornography is imagery of the sexual abuse of children. The intensity of media coverage reporting convictions for Internet-based pornography offences, police operations netting seemingly thousands of child pornographers and high profile cases of major and minor celebrities found in the possession of child pornography, have helped focus public attention on child pornography and the Internet. Paradoxically, despite the attention, there is a great deal yet to be known about how the Internet actually opens up new avenues for old forms of abuse. Why are some men, seemingly with no history of sex offences against children, nevertheless drawn to collect vast amounts of Internet child pornography? Such men enter a criminal justice system lacking resources other than to treat them as 'hands-on' contact offenders against children. It is not surprising, then, that practitioners faced with men who dispute that they are child molesters have had difficulty in assessing precisely what do to help them avoid future reoffending. The basic question of whether or not Internet offenders differ from contact offenders has received insufficient attention, yet is at the core of social policy in dealing with Internet pornography.

THE PROBLEM WITH CHILD PORNOGRAPHY

Conceptually, child pornography can be approached in two distinct ways (Taylor and Quayle, 2003). The first is to regard it as the end point of a process of production that imbues the material with various implicit and explicit characteristics. These characteristics ensure that the material meets the requirements of consumers of child pornography. For example, it is argued that consumers tend to dislike child pornography that portrays child sex as distressing or painful for the child victim (Taylor and Quayle, 2003). Imagery that suggests that the child is actually enjoying his or her victimisation may be their preference (Taylor and Quayle, 2003). Thus child pornography commonly portrays the victim as 'smiling'. In other words, a key production value in child pornography involves indications that the children are willing and also taking pleasure in the sexual activity that is, in fact, their abuse. This sort of imagery may facilitate the generation of sexual fantasy in which children are, in imagination, sexually compliant and, perhaps, complicit. Some users of child pornography may reject child sex imagery in which children appear obviously distressed or unhappy. Cognitively, users of child pornography deny the harm caused by the sexual abuse of children and unhappy, distressed victims would challenge this belief. According to Taylor and Quayle (2003), sometimes child pornography videos have soundtracks on which the 'producer' can be heard instructing the children to look to the camera and smile.

The second viewpoint does not concentrate on the content of the child pornography production but considers the process of viewing child pornography. There is a sense in which the term 'viewing' fails to adequately describe the activities of users. Although some users of child pornography talk of 'viewing' it, this implies a passivity that is belied by fuller consideration of what users do with the material, which goes beyond mere viewing. Users actively engage with the material since they are known to frequently collect, catalogue and index the child pornography that they accrue (Tate, 1990, p. 112). Psychologically, they sexually fantasise to the material and masturbate to climax (Taylor and Quayle, 2003). An instance of this active involvement is that they may fantasise that the child is performing the depicted sexual acts upon them and not the individuals they see in the pornographic image.

If users of child pornography confine themselves to masturbation and fantasy alone, some might ask (as do Internet offenders themselves) why society needs to control their activities. It might be argued that they are not harming the children themselves. In many cases, there is no 'direct' link between the user of child pornography and the abuse of the child featured in the photos or videos. Viewing photographs of other sorts of crime is not construed as a crime and fictional creations of other crimes, although they may receive some censure as in the case of media depictions of violence, is not punished in general. Furthermore, large numbers of people are known to have sexual fantasies of inappropriate and illegal acts such as rape (Crepault and Couture, 1980; Greendlinger and Byrne, 1987; Leitenberg and Henning, 1995) though their fantasies have not been legislated against.

Part of the answer to this is in the following list of reasons why Society should be concerned about the use of child pornography images (Taylor and Quayle, 2003):

- Users of child pornography fuel the market by creating a demand. It is argued that supplying material to meet this demand results in the further abuse of children. In this way, users of child pornography collude in a process that does further harm to children. Pictures, films and videos function as a permanent record of the original sexual abuse. Consequently, the memories and traumas of the abuse are maintained as long as the record exists. Victims filmed and photographed many years ago will nevertheless be aware throughout their lifetimes that their childhood sexual victimisation continues to be exploited perversely. More traditional forms of child pornography such as videos or photographs had limited circulation and were easily destroyed or otherwise removed from circulation, but once on the Internet the infinite reproduction of the material is possible and total destruction of an image unlikely. Take the example of pictures of children on a public nudist beach, which can be made without the knowledge of the children or their parents. Not only does the circulation of such photographs breach a child's and family's privacy and safety but it transforms an innocent situation into a sinister and disturbing one in which the child is used for the sexual satisfaction of paedophiles. Despite this, a trauma may not be caused to the child or family as they are unaware of the offender's actions and the pictures were not of a child being abused.
- Deviant sexual fantasies based on Internet images may fuel a need to sexually abuse other children directly by users of such material. Generally the literature (for example, Healy, 1997; Quayle and Taylor, 2002a) assumes that pornography plays a critical role in generating inappropriate sexual fantasies in the viewer and stimulating sexual arousal. Further, when the viewer masturbates to the material this reinforces their sexual response to it and encourages repetition (Laws and Marshall, 1990). Moreover, there is a process by which inappropriate sexual fantasies begin to escalate and guide the offender to sexual criminal behaviour that temporarily satisfies the fantasy. This idea is quite common and, on the face of things at least, plausible. Nevertheless, some argue that the evidence of a link between adult pornography and sexual aggression is unconvincing (Howitt and Cumberbatch, 1990; Seto, Maric and Barbaree, 2001) so why should child pornography be different? According to Seto, Maric and Barbaree (2001), it may be individuals with a predisposition to respond to pornography who 'are the most likely to show an effect of pornography exposure and are the most likely to show the strongest effects' (Seto, Maric and Barbaree, 2001, p. 46). This idea of vulnerable predispositions is far from new in discussions of the effects of the media and mass communications although any evidence in its support is suspect or missing (Howitt and Cumberbatch, 1990). It is, nevertheless, an argument of the adverse effects of pornography albeit one limited by the

predispositions of the user. Of course, the research on adult pornography has been interpreted differently by various researchers and reviewers – for example, some suggest that the evidence is more consistent with a no-effects model (Howitt, 1998a) or even a beneficial effects model (for example, Baron and Straus, 1987). Taylor and Quayle's (2003) position is a little different. They argue that a graver risk comes from child pornography encouraging its users to take indecent photographs of children. They provide anecdotal evidence from interviews in support of this association. For example, 'when I made this video tape I was copying these er movie clips...that I had downloaded er...I wanted to be...doing what they were doing' (Taylor and Quayle, 2003, p. 25). However, 'encouraging' may be the wrong word and it may be simply that availability allows those with such a predisposition to offend against children to use child pornography in this way.

- Using child pornography to groom children into sexual abuse. This is partly through a process of 'desensitisation' in which the child is familiarised with adult-child sexual activity (Burgess and Hartman, 1987). For instance, the material might be used to initiate a child into how to perform the sexual acts 'correctly'. What is sexual abusive behaviour could be presented as 'fun' or educational. Furthermore, such sexual acts may in this way be presented as 'normal' in the minds of children in order to encourage them into sexual poses or sexual behaviour. Of course, this is not about the viewing of child pornography as such because it involves the use of the pornographic material in the grooming process. Only once the offender has the intention to abuse a child can the material contribute to the offence.

WHAT IS CHILD PORNOGRAPHY

One standard English dictionary defines pornography as the 'writings, pictures, films, etc., designed to stimulate sexual excitement, the production of such material' (from the Greek *pornographos* meaning 'writing of harlots' – *Collins Concise Dictionary*, 4th edition, p. 1152). Another defines pornography as 'the explicit description or exhibition of sexual activity in literature, films, etc., intended to stimulate erotic rather than aesthetic or emotional feelings' (*Concise Oxford English Dictionary*, 8th edition, p. 927). These two definitions overlap greatly, certainly enough to imply some consensus. Both suggest that pornography is material intended to produce sexual excitement in those that use the material. However, both definitions fail to identify just what it is about the material that makes it pornographic rather than, say, erotic. For example, are photographs of anything that may be intended to stimulate others sexually pornographic? Is a picture of a slinky model on the catwalk pornographic by these definitions? Of course, another criticism of these definitions is that in most jurisdictions, especially the Anglo-American judicial systems, pornography in itself has never been illegal nor attracted sanctions. The test of acceptability is often the effect of the material on those likely to use