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# Online child exploitation: Challenges and future research directions

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## ABSTRACT

### Keywords:

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Routine activity theory  
Sexting

Given the relatively new phenomenon of online child exploitation – an important area of criminological and policy concern – it is difficult to obtain long term trend data on reported convictions. Existing legislative and prosecution-based approaches, while important, are unlikely to be adequate. This analysis of the legislative and prosecution-based responses in five Commonwealth countries (Australia, Canada, New Zealand, South Africa and United Kingdom), highlights the need for clear national and international definitions as the lack of consistency in the international legislative environment creates opportunities for sexual exploitation of children. To provide a multi-faceted and non-prosecutorial approach to address online child exploitation including the commercial exploitation of children, this paper identifies five potential research questions.

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## 1. Introduction

The potential for individuals with an inappropriate sexual interest in children to establish online contact with them for the purpose of sexual abuse represents a very real threat to the safety of children. In October 2011, for example, an individual in the United States (U.S.) was sentenced to 132 months imprisonment for the sex trafficking of a [16-year old] female juvenile. It was alleged that the accused person ‘trolled social networking sites and then lured and groomed a juvenile girl into his prostitution business ... advertise[d] her as a prostitute on the Internet [and between] March to May 2011, prostituted the victim in northern Virginia and Maryland. When clients paid the teenage girl for sexual acts she performed, she

turned over the money to the offender, who would give her a percentage of the fee charged to the client’ (FBI, 2011c: np). More recently in May 2013, a former middle school assistant band director was sentenced to 30 years imprisonment for producing and distributing child abuse materials. It was alleged that the accused person ‘obtained sexually explicit images of a 13-year-old girl through communicating with her on Facebook using Facebook accounts that falsely portrayed him as a teenaged girl’. These images were also distributed to another individual who viewed via a webcam a video of a five year old female victim being sexually abused. The video was saved to the accused person’s computer (FBI, 2013).

As explained by Choo (2009a,b), individuals with an inappropriate sexual interest can communicate with other like-minded individuals who know each other only online, share

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information and strategies for exploiting children more easily and, in so doing, reinforce adult–child sex philosophies of offenders. In addition, cyberspace facilitates access to child exploitation materials that were once difficult to locate, thereby providing instant access to children from all over the world or within the country (Choo, 2008a). Similar concerns were raised in a 2009 report by the Australian Government Attorney-General's Department, which noted that it is relatively easier to procure children 'to engage in sexual activities using the Internet, without ever being in the physical presence of the child victim. For example, an offender may use the Internet to groom or procure a child to perform a sexual activity via webcam. Or the offender may email a child asking him or her to masturbate in front of a web camera, while the offender (or another adult) watches over the Internet' (Australian Government Attorney-General's Department, 2009: 48).

Other examples of cases of online child exploitation include:

- In the U.S. in December 2011, two individuals (husband and wife) were charged with sex trafficking of teenage females. It was alleged that both accused persons 'recruited teenage females by promising money, drugs, and a "family-like environment," maintained control over them by providing drugs, using physical force and threats of physical force, and fostering a climate of fear, and used the Internet to advertise their prostitution enterprise, which spanned from Sacramento County to multiple Bay Area counties' (FBI, 2011a).
- Also in the U.S. an individual was sentenced to 121 months imprisonment, followed by a lifetime of supervised release (although it is not clear how the latter will be enforced as the accused person is an illegal alien in U.S. and most likely will be deported out of the country upon completion of his sentence) 'after having been convicted of attempting to entice and coerce a minor to have sex with him (Count 1) and attempting to receive child pornography from that same minor (Count 2)'. It was alleged that the accused person 'posted a lewd and sexually explicit classified advertisement on [Craigslist.org](http://Craigslist.org) seeking a casual sexual encounter', and responding to an undercover FBI agent (posing as an underage girl)'s response (FBI, 2011b: np).
- In 2014, an international online child abuse organised crime group 'was taken down after a joint investigation by the UK's National Crime Agency (NCA), the Australian Federal Police and US Immigration and Customs Enforcement. Operation Endeavour, which began in 2012, resulted in 29 arrests in 12 countries worldwide' (Leyden, 2014).

Children are often unsupervised online – an observation confirmed in the State of the Net survey (Consumer Reports Magazine, 2011), which found "[a]mong young users, more than 5 million were 10 and under, and their accounts were largely unsupervised by their parents". They are particularly vulnerable to exploitation via cyberspace, due to a number of reasons including:

- The lack of visual cues in cyberspace that may assist them in making judgments about the suitability, trustworthiness

and sincerity of those they are communicating with (Wells and Mitchell, 2007); and

- Children are often at a stage of learning how to communicate effectively and hence less likely to be as socially skilled as adults (Lamb and Brown, 2006; Olson et al., 2007).

Child sexual exploitation can take many forms. Children may also engage in illegal behaviour themselves, such as taking or sending explicit images or videos of oneself before forwarding the images or videos to others (an activity also known as 'sexting'). While there is as yet little research into the exact nature and prevalence of sexting (see Bluett-Boyd et al., 2013), several surveys conducted in the US have suggested that sexting is an important emerging issue in the country. For example, a study commissioned by the National Campaign to Prevent Teen and Unplanned Pregnancy found that 20% of respondents aged between 13 and 19 years old and 33% of respondents aged between 20 and 26 years old have reportedly electronically sent, or posted online, nude or semi-nude pictures or videos of themselves, and 15% of respondents aged between 13 and 19 years old who have reportedly sent or posted nude or semi-nude images of themselves claimed they have done so to someone they only knew online (National Campaign to Prevent Teen and Unplanned Pregnancy, 2008).

A later study by Gordon-Messer et al. (2013) of 760 respondents aged between 18 and 24 years in the United States found that '28.2% [214 respondents] were two-way sexters, 12.6% [96 respondents] were receivers, and 2% [15 respondents] were senders'. However, the study found that there was no correlation between sexting and risky sexual behaviour and that sexting was a part of the respondent's sexual relationship(s). In another study where 14,946 respondents aged 11 between 16 from 20 European countries were interviewed, Baumgartner et al. (2014) found that between 0.9% and 11.5% of the respondents in each of the 20 European countries reportedly engaged in sexting.

In countries with child pornography legislation, sexting tends to be addressed through such a framework, although questions remain whether this is really the most appropriate response, particularly when the offending material is taken by a minor and/or sent between minors (Humbach, 2010; Jolicoeur and Zedlewski, 2010). In a submission to the Australian Government Select Committee on Cyber Safety (2013), for example, the 'Law Council [of Australia] noted that there are currently no legislative provisions at the Commonwealth and state and territory levels that specifically deal with an offence of sexting. However, several criminal and civil laws may apply to sexting behaviours, depending on the circumstances. The committee notes that these laws were designed to deal with activities associated with child pornography'. Indeed, there have been several other cases where individuals (who may be considered 'minors' under the relevant child pornography legislation, but within the age of consent under sexual offences legislation) were placed on the sex offender registry after being convicted of sexting offences (see Stevenson et al., 2013).

To keep our children safe in the online environment, many countries have introduced specific child sexual exploitation offences that have resulted in a number of convictions. In

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