



## The Internet and child sexual offending: A criminological review

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### ABSTRACT

This paper outlines the current literature on what is known about the processes by which individuals utilize the Internet for child sexual abuse. First, three ways in which the Internet is utilized are outlined: (1) by dissemination of sexually abusive images of children for personal and/or commercial reasons; (2) by communication with other individuals with a sexual interest in children; and (3) by maintaining and developing online pedophilic networks. Second, content and availability of abusive images are described, and the difficulties faced by criminal justice agencies in both the definition of abusive images and their prohibition is discussed. Third, the potential for offenders to 'cross-over' from online offenses to contact sexual victimization of children is examined and placed within a context of various Internet offender typologies that have been developed. Finally, implications of this body of research for law and public policy are considered.

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## 1. Introduction

The sexual abuse of children is a significant global problem and its prevention is a major concern for criminal justice agencies. Over the last two decades there has been a considerable increase in professional and public awareness of the use of the Internet in the commission of child sexual abuse, whether it be the consumption of abusive images of children or for access and grooming of victims in the commission of contact sexual assaults. This issue continues to present new challenges for traditional policing and legislative systems.

According to the Internet World Stats website ([Internet World Stats, 17 March 2008](#)), global usage of the Internet recently topped 1.3 billion users, with 38.7% of these users 'logging-on' in Asia, 18.0% in Europe and 20.4% in North America, as well as significant growth in Internet use in Africa, the Middle East, and Latin America. The Internet combines global communication with a range of resources, such as E-mail and the World Wide Web, and is on the way to becoming the world's library ([Mars, 2001](#)). The level of sophistication with which the Internet can be utilized is rapidly increasing. The Internet is evolving from fixed personal computer-based access to third-generation (3G) mobile phone technology, offering high-speed Internet access, video conferencing and digital audio-visual recording technology, in the form of mobile, hand-held devices ([O'Connell, 2004](#)).

Digital information contained within the Internet is not located or stored at one single point and is not administered by any one person or group, and so by its nature is uncontrollable by a single regulatory body ([Arnaldo, 2001](#)). As such, the Internet has a number of uses and potential, and very real, misuses. [Durkin \(1997\)](#) proposes three ways in which the Internet can be utilized by sex offenders: (1) to disseminate images for personal and/or commercial reasons; (2) to establish and engage in social networks with other individuals who have a sexual interest in children; and (3) to engage in inappropriate sexual communication with children and/or to locate children to abuse. In addition, [Lanning \(2001\)](#) suggests that abusive images downloaded from the Internet may be used to desensitize and/or lower inhibitions in an offender or victim prior to or during an offense. It is worth noting that the Internet might also serve as a method for covertly breaking probation restrictions regarding access to children for those individuals who already have convictions for child molestation ([Durkin, 1997](#); [Hernandez, 2000](#)).

The aim of this review is to examine the extant criminological literature on the use of abusive images of children on the Internet and those who access it, focusing primarily on the United States (U.S.) and the United Kingdom (U.K.), as well as discussing the provisions of the United Nations (U.N.) and Interpol. Here, we will examine the various ways in which abusive images can be disseminated using Internet technologies, and discuss the key difficulties that law-enforcement agencies face when dealing with sexually abusive behavior online. We then describe the dangers of these offenders crossing-over from 'online' to contact sexual offending and suggest that this could be a significant problem within the Internet offending population and a serious risk to child protection. We discuss the various typologies of Internet offenders in terms of their motivations towards offending and the ways in which these different types of offenders utilize the Internet in meeting these goals. Finally, we discuss implications that Internet offender research has in terms of law and public policy.

## 2. Image dissemination

In this section we will examine the law regarding abusive images on the Internet, problems in defining an abusive image, the availability and the content of these images, and the generation and status of pseudo (non-real) images.

### 2.1. Abusive images of children and the law

The criminalization of abusive images of children in the United States is governed by the Prosecutorial Remedies and Other Tools to end the Exploitation of Children Today (PROTECT) Act 2003. The revised statute states that:

"...it is a crime to possess, manufacture or distribute pornography containing visual depictions of (a) a real child engaging in sexual acts or (b) a digital image, computer image, or computer generated image that is, or is indistinguishable from, that of a minor engaged in sexually explicit conduct". (18 U.S. Code § 2256(8) (B) (as amended))."

[Brenner \(2004\)](#) also describes a new offense created by the Act, one of "producing, receiving, possessing or manufacturing obscene child pornography" (18 U.S. Code § 1466A). The PROTECT Act also provides the following legislation: (1) increased penalties for individuals convicted of child pornography offenses, with sentencing options of 15–20 years imprisonment, even for first-time offenders; (2) lesser authority for the judiciary to reduce sentence length; and (3) revised and strengthened legislation on 'virtual child pornography' ([U.S. Department of Justice, 2003](#)). In the U.K. the principal legislation outlawing abusive images of children can be found in the Protection of Children Act 1978 and the Sexual Offences Act 2003. Section 1 of the Protection of Children Act (as amended) makes it an offense to make, take, distribute, show, or be in possession with the intention to distribute or show, an indecent image of a child ([Gillespie, 2005](#)). In the Criminal Justice Act 1988 the offense of possessing indecent images of a child and later pseudo-photographs, where prohibited by Section 84 of the Criminal Justice and Public Order Act 1994, has been added. Sections 48–50 of the Sexual Offences Act are built on the Protection of Children Act, where there are three new offenses relating to abusive images of children: (1) causing or inciting a child to become involved in pornography; (2) controlling a child involved in pornography; and/or (3) arranging or facilitating child pornography. These three offenses are punishable by up to 14 years imprisonment. The Sexual Offences Act also further strengthens the laws regarding showing pornography to a minor, making it a criminal offense to show any obscene image (not only in photographic form) to a child ([Gillespie, 2005](#)).

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