The New Face of Child Pornography

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> "Since it was so easy and convenient to access child pornography from my home computer and I felt that I had seen all there was to see of adult pornography I started to access more and more child pornography. If it hadn't been so easy and anonymous I don't think I would have done it"[1]

Introduction

Child pornography is a sensitive issue which elicits discomfort among most people. However, this should not be used as an argument against the illumination, study and understanding of the subject. Indeed, further study in this area is required to develop an adequate knowledge and understanding, which is necessary to effectively control and combat child pornography. Just as information and communications technology (ICT) has effected our society in many different ways, it has also involved major changes for child pornography. There is no doubt that ICT has effected and changed the complex social tableaux surrounding child pornography. There is, however, a lack of research about what the changes *de facto* consists of, and the consequences they give rise to.

This chapter presents an overview of the complexities involved in the regulation of child pornography in relation to ICT. The purpose of this chapter is to illuminate the complexity of the problem of child pornography, present and discuss how ICT has changed child pornography and what consequences these changes give rise to. This chapter argues that child pornography always is an infringement of the rights of real children and that ICT can be used as a powerful medium for exploiting children. Child pornography carried out through ICT uses real children and causes actual and far-reaching damage both to the children who have been sexually exploited but moreover to all children, and to our society as a whole. The research in this chapter takes its starting point in the rights set out in the Convention on the Rights of the Child[2] and analyses the technology involved with the intention of contributing to the increased protection of children.

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[*] With thanks to Anetthe Ahlenius at the Swedish National Criminal Investigation Department and Per-Erik Åström at Save the Children Sweden.
[1] Anonymous paedophile, 2004.
[2] The United Nations Convention on the Rights of the Child of 2 September 1990. http://www.unicef.org/crc/crc.htm.

Child pornography is a complex social issue in itself and ICT has added to this complexity. This chapter argues that ICT used for child pornography should not be seen as only a new medium, but will show that ICT gives rise to a totally new situation. Child pornography is not exclusively a cybercrime, i.e. not all people use ICT as a medium for carrying out child pornography. There are however, evident reasons for considering ICT as the most significant medium for child pornography today.[3] It is important to be aware that the different mediums (both digital and non-digital) are not mutually exclusive. Different mediums can act both as complement and substitute to each other. A unique and serious distinction that occurs when ICT is used as a medium for child pornography is that even in those cases where the perpetrator is caught, the victim identified and the criminal case is successfully tried in court, is that the harm to the child continues since the material remains accessible and distributed through the technology. Today it is almost impossible to track images which have been made available via ICT. Also the images do not fade or decay, instead they remain available for a countless number of people for an unforeseeable future. Further, there is clear evidence that show that there is a strong connection between possession of child pornography and sexual abuse of children.[4]

This chapter will present a case study with the purpose of illustrating and enhancing the understanding of the complexity involved in the area of child pornography and ICT. This case study shows an example of how ICT has changed child pornography, with consequences not possible before the technology was adopted. The research presented in this chapter is part of a larger ongoing research project, called *Child Pornography & Information Communication Technology*, carried out by the author at Göteborg University. This project takes place in cooperation with the organisation *Save the Children Sweden* (Rädda Barnen)[5] and the *Child Pornography Group* at the *Swedish National Criminal Investigation Department* (Rikskriminalpolisen).[6] One of the purposes with this project is to study how ICT has *de facto* affected child pornography and also to study and analyse the consequences that these changes have given rise to. The purpose of this research is to present a framework which can be used as a tool for more effective control and combat of child pornography.

Child pornography violates children's rights

Sexual abuse of children is a complex social problem with a long history, the same area is however a relatively new field of research.[7] According to Taylor and Quayle child pornography is not a new phenomenon in our society: it has a long history and has been produced in different forms, using whatever technological medium available for the age.[8] Unfortunately child pornography has historically not been recognized as a social problem. Jenkins justifies the importance of recognizing child pornography as a serious problem as follows: "what is not recognized as a problem is not studied, and the less we know about

[3] Interview with Åström, P-E, Save the Children Sweden, 2004.
[4] http://www.ecpat.net/eng/Ecpat_inter/Publication/Other/English/Pdf_page/ecpat_onlinesafety.pdf
[5] http://www.rb.se
[6] http://www.rikskriminalpolisen.polisen.se
[7] Svedin, C and Back, C, *Varför berättar de inte?*, 2003, Stockholm: Save the Children Sweden.
[8] Taylor, M and Quayle, E, *Child Pornography An Internet Crime*, 2003, Hove: Brunner-Routledge.

the phenomenon, the less incentive there is for research or invention. If we don't see a menace, we are not even trying to fight it".[9] Despite the late recognition of child pornography as a social problem, it is today recognised and established on the political agenda in most states, and in many cases the debates are concerned with the issue of child pornography and ICT. Both the legal definition and the legislation of child pornography can differ greatly between jurisdictions. It is however possible to discern a more general opinion of the meaning of the content of the term child pornography. According to this general opinion of child pornography, it can be defined as any representation where children[10] are engaged, or appeared to be engaged, in some kind of sexual act or situation. It is, however, important to understand that child pornography should in no way be compared to adult pornography. The two are fundamentally different. Where adult pornography may involve levels of consent and awareness among those participating in its production, child pornography is based upon the degradation, assault and sexual violation of children by adults.

Child pornography is illegal in most Western countries. Its production, distribution and possession are considered to be serious crimes. Even though the legislation concerning child pornography may vary between countries, it is important to be aware of the fact that child pornography is always a violation of children's rights no matter in which shape or form it takes. Child pornography consists of a record portraying real child abuse and harm of real children[11] and this harm is ongoing for as long as the material is accessible. On an international level the United Nations has created the Convention on the Rights of the Child[12] which is a significant international tool in the development of a coordinated approach to control and combat child pornography. The Convention provides, among other provisions that:

> *Article 19*
> *1. States Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child.*
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> *Article 34*
> *States Parties undertake to protect the child from all forms of sexual exploitation and sexual abuse. For these purposes, States Parties shall in particular take all appropriate national, bilateral and multilateral measures to prevent...(c) The exploitative use of children in pornographic performances and materials.*

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[9] Jenkins, P, *Beyond Tolerance*, 2003, New York: New York UP.

[10] The definition of child is not uniform. In this chapter a child is defined in accordance with article 1 in the United Nations Convention of the Right of the Child "a child means every human being below the age of eighteen years unless under the law applicable to the child, majority is attained earlier".

[11] Morphed images are discussed below.

[12] United Nations Convention on the Rights of the Child, n 2 above.

As can be seen, Article 19 attempts to prevent all types of abusive treatment and to create a secure environment for children to develop in. This is complemented by Article 34(c) which requires signatory states to enact legislation to protect children from specific abuse caused by child pornography. The latter provision strives to create an environment conducive to international cooperation within this area. This convention has recently added the *Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography*[13] to further the national and international attempts to control and combat child pornography.

The effects of ICT on child pornography

Since the mid-1990s, it has been possible to discern a change in the nature of child pornography.[14] The reasons for this change can mainly be explained by the effects of the dissemination of ICT and the effects of changes in legislation regarding the governing of child pornography. Historically child pornography consisted of costly magazines, photographs and videos,[15] therefore child pornography was limited by economic, physical and logistical boundaries. With the development and use of ICT the volume and availability of child pornography has changed significantly. It is however necessary to point out that technology has no moral value in itself, i.e. it is neither good nor bad by its nature. It is a medium which can be used for different purposes by different people. It is however a dangerous simplification to believe that ICT as a medium can be explained and treated as a medium among others. The reason why ICT should not be seen as just another medium is due to the fact that it has created a new state of affairs for child pornography with extensive consequences.

From the paedophiles[16] point of view, the development of new technologies, such as ICT, has simplified many aspects of the consumption of child pornography. Previously, interest in child pornography often involved furtive and often expensive purchasing of magazines and videos. Today paedophiles can download child pornography, often at no cost, in large quantities and in the privacy of their home. This represents a reduced risk to the individual when acquiring material, allows for the size of collections to grow and creates a constant demand for novel and more varied material. Meeting the increased demand for new material inevitably means that more children are involved in the production of child pornography. Recent research shows that two new children become victims of child pornographers every week.[17]Additionally, evidence indicates that the age of children involved in child pornography are getting younger.[18]

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[13] Entered into force on 18 January 2002, see http://www.unhchr.ch/html/menu2/6/crc/treaties/opsc.htm.
[14] See Taylor and Quayle, n 8 above.
[15] Carr, J. (2001) Theme Paper on Child Pornography for the 2nd World Congress on Commercial Sexual Exploitation of Children.
http://www.ecpat.net/eng/Ecpat_inter/projects/monitoring/wc2/yokohama_theme_child_pornography.pdf.
[16] Paedophiles are defined as people who feel a sexual attraction to children.
[17] See Taylor and Quayle, n 8 above.
[18] Ibid.

Child pornography is today available through all ICTs.[19] In a test studying the relationship between child pornography images and peer-to-peer systems the General Accounting Office (GAO) in 2002 used 12 keywords in Kazaa and obtained 1286 hits of which 42 % were child pornography. In another test the Customs CyberSmuggling Center used three keywords in Kazaa to obtain 341 matches of which 44% were child pornography and 13% were child erotica. The National Center for Missing and Exploited Children has tracked child pornography in peer-to-peer networks since 2001 and can show that child pornography available with these systems has increased 400% over two years.[20] These examples give a clear indication of how easy it is to access large volume of child pornography using ICT.

Production of Child Pornography

ICT offers certain features for producing child pornography which did not exist when child pornography was exclusively in non-digital form. Firstly, ICT makes it easy to produce child pornography at a low cost. By using the technology, images and films can easily and quickly be produced. The development of ICT has enabled non-technically skilled users to record, store and manipulate images in a way which was previously only available to people with the technical skills and costly equipment. Therefore today even amateurs can record their abuse of children and thereafter easily distribute the material by using ICT.

Secondly, ICT offers software tools which can easily be used to produce so called morphed images, also called pseudo-photographs. Morphed images are constructed and manipulated images. The development of technology has made it possible for people without advanced technical skills to create and edit images easily. Morphed images can be a combination of real people and events in combination with computer animation. Examples of content of morphed images which have been developed and distributed among paedophiles are images where young children's heads are placed on both adult bodies and where some of the body parts have been manipulated to make it look like body parts of children. Examples of manipulated body parts can be penises and breasts which have been reduced in size or totally eliminated and elimination of pubic hair. There are other examples of real images of children playing and holding their hands around toys, where the toys have been replaced with a penis.[21]

Paedophiles use child pornography images partly to satisfy their own sexual urges, but the images also serve another purpose, i.e. to entice new children into different activities.[22] Paedophiles use images of other children engaged in different sexual activities with the purpose of giving an impression that the images portray normal behaviour. This means that child pornography images, regardless if they are "real" images or if they are morphed images, are used to facilitate future assaults of new children and to reduce the children's

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[19] Koontz, L, File Sharing Programs, United States General Accounting Office Report GAO-03-1115T (2003). http://www.gao.gov/.
[20] Ibid.
[21] See Taylor and Quayle, n 8 above.
[22] Akdeniz, Y, The Regulation of Pornography and Child Pornography on the Internet, 1997 (1) *JILT* http://elj.warwick.ac.uk/jilt/Internet/97_1akdz/default.htm.

inhibitions. One of the dilemmas with morphed images is that the people or the activity shown on the image does not exist in the form they appear on a manipulated photograph. Taylor and Quayle argue that morphed images portraying child pornography involve victims just as real child pornography, and should therefore be treated as such.[23]

Distribution and access of child pornography

One of the most significant effects that ICT has had on child pornography is the volume of material that can be both accessed and distributed via the medium. It is possible to distribute and access material through ICT both rapidly and widely at low cost. The technology also offers a higher level of security. It is possible to be almost completely anonymous. Paedophiles usually use pseudonyms and do not reveal their real identity for each other, this increases the level of security and reduces the risk of getting caught. The material distributed is often both encrypted and password protected, as security measures. Another effect of the technology is that digital copies do not deteriorate from the original, which can be reproduced endlessly without loss of definition or any other qualities. According to Taylor child pornography has developed from a commercial product to be a non-commercial product available through ICT.[24] There are however a number of signs which indicate that this is about to change.[25]

Much of the child pornography available through ICT today is free and is readily available without a high level of technical knowledge. The ways in which ICT has effected the access of child pornography are strongly connected to the changes regarding distribution of the same material. Prior to the wide dissemination of ICT it was more difficult to obtain child pornography. In most cases it required a measure of physical exposure which involved a risk of being identified. The risks lay in the requirement of either visiting certain suppliers in person, or an exposure of the paedophiles name and address so that the material could be posted. Before the use of ICT, this activity often involved a larger risk of getting caught. The anonymity offered by the medium has however significantly lowered such social costs, which in turn increases the demand for the material. The increase in demand for the material ensures that there is a continuing profitability in the supply of child pornography.

Network organisation for paedophiles

ICT makes it possible for people to easily communicate and gather around a shared interest, regardless of their geographical location.[26] Virtual communities being but one example where people can interact with each other through ICT. [27] One of the major strengths with virtual communities is, as mentioned earlier, that they are available to the users regardless to the user's physical geographical location. Further, communities can be organized around common interests instead of geographical neighbourhoods. These communities are

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[23] Ibid.

[24] Taylor, M, *The Nature and Dimensions of Child Pornography on the Internet*, (1999) online: http://www.ipce.info/library_3/files/nat_dims_kp.htm.

[25] See the analysis section for further information.

[26] Baym, N, *TUNE IN, LOG ON Soaps, Fandom, and Online Community*, 2000, Thousand Oaks CA: Sage.

[27] Smith, M and Kollock, P (eds), *Communities in Cyberspace*, 2001, London: Routledge.

considered important for the participants, because they establish relations and friendships within these environments.[28] Communities can vary between a few people or thousands of people. Membership of communities, formed through ICT, is constantly changing and evolving as people respond to the medium and as the involved technology changes.

Paedophiles use communities to meet other paedophiles who share their sexual interest for children and together in the community they can legitimize their interests.[29] Paedophiles often use communities where some kind of internal control of the users takes place through separate delivered passwords.[30] The communities' function also as places where the paedophiles share and trade information and material, especially images and videos containing child pornography are exchanged within these environments where paedophiles operate, or to be more correct digital copies of original photographs and videos are exchanged there. Paedophiles also establish important contacts within these communities.

Results from a study have shown that within such communities, people can obtain status within the community through supply the other participants with child pornography, especially material which is difficult to obtain and through providing new material.[31] This means that child pornography is used to both justify and legitimize paedophile behaviour within these communities. Responses, from another study carried out by the COPINE-project, show that the social contact and interaction with other paedophiles is considered to be valuable and important among paedophiles.[32] This can be explained by the fact that it is important for paedophiles to feel that their sexual interests for children are accepted by people around them, and that they feel that they obtain some kind of social status and support within these environments.

Contact with children

ICT has created new ways and conditions for people to establish contacts and to interact with other people. According to Durkin paedophiles use ICT with the purpose of getting into contact with children and also to communicate in a sexual way with children.[33] ICT offers features for the users to portray themselves to better fit their purpose, they can also easier remain their anonymity by using pseudonyms. The ability to contact children through ICT also increases the number of children available, compared to real life where geographical limitations and social exposure decrease this availability.

Computer-mediated communication is in certain aspects different than face-to-face communication. Users who communicate through ICT state that they are able to be more outspoken and more tolerant to people that they perhaps would not communicate or interact with in real life.[34] It is, as mentioned earlier, easier to pretend to be someone else through

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[28] Rheingold, H, *The Virtual Community*, 1993, Reading MA: Addison-Wesley.
[29] See Taylor and Quayle, n 8 above.
[30] Kronqvist, S, *Brott Och Digitala Bevis*, 2003, Norstedts Juridik AB: Stockholm.
[31] Durkin, K, 'Misuse of the Internet by Pedophiles: Implications for Law Enforcement and Probation Practice' (1997) 61(3) *Federal Probation* 14.
[32] At http://www.copine.ie/index.php.
[33] See Durkin, n 31above.
[34] Eneman, M, *Dereth and its Inhabitants*, 2003, Master Thesis, Chalmers University Göteborg Sweden.

ICT and as the communication is mainly based on text messages between the users, the traditional social cues which are a natural element in face-to-face communication are greatly reduced. Another aspect that facilitates paedophiles in contacting, communicating and interacting with children through ICT is the lack of parental knowledge. Parents often have limited knowledge of what their children actually are doing when spending time online.[35] Paedophiles have different purposes for contacting children. Some paedophiles are satisfied with communicating with children through the technology and do not go further than that. Other paedophiles use the technology as a channel to get in contact with children with the purpose to find and prepare the child for later abuse. This activity is called grooming and can be described as when paedophiles communicate and interact with children for the purpose to abuse them. Differences in legislation, especially on this point, have led to a difference in the level of regulatory response. The United Kingdom has created legislation[36] criminalizing this kind of behaviour while Sweden has yet to propose legislation to this effect. Both in Sweden and United Kingdom there are cases where sexual abuse has taken place after the paedophile has made contact with the child through Internet.

The Orchid Club – A Case Study

The purpose with this case study is to illustrate how information technology can be used by paedophiles to carry out their activities in a way not possible before. This case study demonstrates clearly how the technology has generated a totally new and grave situation.

The child pornography ring called the Orchid Club was uncovered in California in May 1996. The members of the club used the ring to share and exchange photos and videos of girls aged five to ten. The majority of the material exchanged was produced by the participants themselves. The Orchid Club is not the largest child pornography ring that has been uncovered, but it is a significant example of how these rings can operate. It is also considered to be the first case of online broadcasting of live child pornography images by using a video conference system. While members of the ring were logged on to the video conferencing system a child was sexually abused and the abuse was broadcast to those logged onto the system. At least eleven men, situated in different countries all over the world, watched this child being sexually abused in real time. These men were able to take part in the abuse of the child by using functions in the video conferencing software which enabled them to communicate by typing messages requesting different poses and abusive acts to be carried out.[37]

As this case study shows, ICT has in certain aspects paved the way for paedophiles to develop new methods of child pornography consumption. The technology made it possible for the other men, regardless to their physical location, to participate in the abuse of the child in real-time. The main features which ICT offers and that facilitate the existent of child pornography rings are the technical capacity (rapid transfer of material) and the high level of security and anonymity involved (reduces the risk of getting caught). This case

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[35] http://www.sou.gov.se/valdsskildring/pdf/SAFT%20foraldrafinal.pdf.
[36] Sexual Offences Act 2003, s.15.
[37] http://www.ecpat.net/eng/ecpat_inter/publication/other/english/html_page/ecpat_prot_child_online/files/Internet8.htm.

study shows how paedophiles can use ICT for their purposes in a way not possible before. The Orchid Club case illuminates clearly that ICT has created a totally new state of affairs regarding child pornography.

Analysis of the changes

As the previous section has shown, ICT has involved major changes to child pornography. Child pornography has, in recent years, developed from less accessible magazines, photographs and videos to be easily available digital material. In addition to this, ICT offers powerful search tools which make information location and organisation simple and fast. The result of these changes is that child pornography has moved from have being a little known, hidden phenomenon to an easily accessible commodity which can be easily accessed from most private homes.

One of the perhaps most important consequences which ICT has given rise to is the volume of material now possible to produce, distribute and access. By using ICT the volume is irrelevant, the technology offers features to manage large volume of child pornography easily, rapidly and at low cost. The technology also offers a relatively high level of security where the anonymity can be protected. This means that paedophiles today can more easily, more quickly and at a lower cost carry out all aspects of paedophilic activity. Further they can do so relatively securely without revealing their real identity. Responses from a study carried out by the COPINE project[38], show that among the paedophiles using ICT as a medium for accessing child pornography their collections of child pornography have increased. The ease of downloading child pornography via ICT led, for many of the paedophiles, to huge collections of child pornography.[39]

The knowledge of people with a sexual interest in children is something that has never been tolerated or accepted in contemporary Western societies. This attitude taken together with the fact that access and distribution of child pornography before the dissemination of ICT involved a higher level of social exposure, constituted a level of higher social control. This social control is reduced with the advent of ICT, since the medium does not require personal data about the user which could expose their real identity. The reduced risk of detection has also led to more people accessing and collecting child pornography, the collections are now bigger and there is an increasing demand for new and novel material. More and more children are involved in the production of child pornography to be able to meet the demand for new material.[40] ICT also enables people to establish social relations despite geographical distance. This means that ICT constitute an effective platform where paedophiles can contact children anonymously.

Research on child pornography in relation to ICT, has shown that people who have no history as child molesters or consumers of child pornography now with the new technology

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[38] See Taylor and Quayle, n 8 above.
[39] Ibid.
[40] Ibid.

are involved in both accessing and distributing child pornography.[41] This result indicates that the medium attracts new consumers of child pornography, which can be explained by the fact that ICT offers certain characteristic which facilitate for the paedophile.

A significant distinguishing characteristic regarding the issue of child pornography and ICT, is that once the material is accessible through ICT it is almost impossible to track and eliminate it. It is easier to destroy a hard copy of an image compared to eliminating digital copies. The digital material can be copied in infinite numbers and the digital copies do not deteriorate from the original. Once a image has been copied and distributed through ICT, it is in principle out of control, i.e. it remains available for a countless number of people for a non-foreseeable future.

Historically there has not been a major economic incentive in the issue of child pornography.[42] There are however today a number of signs that indicates that this is about to change. In August 2001 a child pornography ring was uncovered, the ring included an American company, called Landslide Promotions. This company managed credit card billing and password access services for two Indonesian and one Russian child pornography sites. The ring had 250,000 subscribers and made a gross profit of $1.4 million each month by providing child pornography to its paying customers.[43] This example gives an illustration of how ICT and child pornography can be used for profit-making.

Technological changes often give rise to legal changes, to be able to handle the new situation generated from the technology. The effects of ICT on child pornography have also resulted in changes in legislation. There is nothing new with the fact that ICT complicates the application of national legislation. ICT is global by its nature and crosses therefore every national boundary which makes the issue of legislation more complex. People can easily access different sites all over the world and information can almost constantly be transferred and exchanged globally at a low cost. Some of the problems involved in the regulating issue concerning digital child pornography concern the fact that what is legal in one country may be illegal in another. This addresses difficulties when the access is made via ICT because it is not clear which jurisdiction that should and can be applied.

Discussions of regulation of ICT has generated in critical issues related to the nature of ICT as a medium for information exchange. One of the central aspects in these debates is the conflict involved concerning freedom of expression (and censorship of ICT). One problem with regulating ICT is the aspect that no single national organisation or legislation can be applied to the medium. ICT constitutes an environment that challenges traditional concepts of regulation, which to a large extent are dependent and related to concrete time and space.[44] There are today attempts to develop a more general set of regulation rules with the purpose to better control and combat child pornography carried out through ICT. The

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[41] Quayle *et al*, 'The Internet and offending behaviour: a case study' (2000) 6 *Journal of Sexual Aggression* 78.
[42] Åström, P-E, n 3 above.
[43] http://news.bbc.co.uk/2/hi/americas/1481253.stm.
[44] See Akdeniz, n 22 above.

Council of Europe has developed a *Convention on Cybercrime*[45] with the belief that co-operation between nations makes the combating of cybercrimes more effective. Article 9, deals with some of the problem regarding child pornography and ICT:

Article 9 – Offences related to child pornography

> *1. Each Party shall adopt such legislative and other measures as may be necessary to establish as criminal offences under its domestic law, when committed intentionally and without right, the following conduct:*
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> *a. producing child pornography for the purpose of its distribution through a computer system;*
> *b. offering or making available child pornography through a computer system;*
> *c. distributing or transmitting child pornography through a computer system;*
> *d. procuring child pornography through a computer system for oneself or for another;*
> *e. possessing child pornography in a computer system or on a computer-data storage medium.*
>
> *2. For the purpose of paragraph 1 above "child pornography" shall include pornographic material that visually depicts:*
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> *a. a minor engaged in sexually explicit conduct;*
> *b. a person appearing to be a minor engaged in sexually explicit conduct;*
> *c. realistic images representing a minor engaged in sexually explicit conduct.*
>
> *3. For the purpose of paragraph 2 above, the term "minor" shall include all persons under 18 years of age. A Party may, however, require a lower age-limit, which shall be not less than 16 years.*

Article 9.1 states that production, distribution, possession, offering, making available and procuring should be regulated by national legislation as a criminal offence. Article 9.2 states that child pornography is material which depicts a minor, or a person appearing to be a minor, engaged in a sexually explicit conduct. It can however also be a realistic image representing a minor engaged in sexually explicit conduct. According to Article, 9.2(c), realistic images should be included in the paragraph "child pornography". This means that morphed images and pseudo-photographs should be seen as child pornography, which further proves the seriousness with this kind of images.

Both Sweden and the United Kingdom have taken strong positions against child pornography in their legislation. There are however gaps in the existing legislation. With the use of ICT it is possible to evade existing legal provisions concerning possession of

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[45] http://conventions.coe.int/Treaty/en/Treaties/Html/185.htm.

child pornography. Possession of child pornography is illegal both in Sweden and in the United Kingdom, but there are serious legal problems concerning the regulation of access to child pornography through ICT as long as the material is not downloaded to the computer. The Swedish National Criminal Investigation Department[46] consider this as a major problem for the police in their work. The volume of child pornography available through ICT makes this a new and serious phenomenon which requires a review of existing regulation.

Conclusion

As this chapter has shown ICT has brought with it such grave and far-reaching consequences to child pornography, that it is well-founded to state that we now have a totally new situation. Some of the largest changes ICT has had on child pornography are in relation to the volume and availability of the material. The effect of this is that more people consume child pornography. This, in turn, means that more and new children are abused to be able to meet the increased demand for this material. An area of great concern is that the age of the children involved is decreasing. In addition to this the nature of ICT allows the material to continually be available for a countless number of people for the unforeseeable future, this entails an additional and unceasing violation of the victim.

At the same time as ICT brings child pornography easily closer to us, the computer screen also has a de-sensitising effect. The medium offers the users instant gratification due to the simple and rapid access to a large amount of child pornography. ICT attracts people, who without this medium, would not have come into contact with child pornography. This indicates that the medium lowers the threshold for what is considered to be socially acceptable forms of sexual gratification.

It is however important never to forget that each child pornography image is a documentation of a criminal act and a violation of a child's rights. One of the attractions of the medium for paedophiles is the high level of anonymity it offers. Privacy and freedom of expression have received a great deal of attention in the discussions of the individual's rights in digital environments. However, while privacy and freedom of expression are important rights to protect they must not take precedence over all other rights such as the right of the child not to be abused. The rights of privacy and freedom of expression should continue to be defended, but it is time that we also discuss the price that is paid for these rights.

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[46] Interview with Ahlenius, A, The Child Pornography Group at the Swedish National Criminal Investigation Department, (2004).