

THE CONVERSATION

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What's in a name? Online child abuse material is not 'pornography'

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The term 'child pornography' is not only inaccurate, it is also potentially damaging. shutterstock

The Victorian government recently proposed changes to “child pornography” legislation. The new laws will double the criminal penalties for possessing child abuse material from five to ten years’ imprisonment.

The Victorian laws, if passed, will also introduce three new criminal offences:

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- administering a child pornography website;
- encouraging use of a website to deal with child pornography; and
- providing assistance to another person to avoid apprehension for a child pornography offence.

The legal changes are welcome. But the continued use by politicians and the media of the term “child pornography” minimises the seriousness of these crimes. Applying the term “child pornography” to photographic and digitised images of child abuse contributes to the view that the person committing the offence was “only looking” and “so what’s the harm”.

Calling it what it is

There are three key problems with not calling these images what they are: online child abuse material, or child exploitation material.

First, it creates a false distinction between the viewing of images and the contact sexual abuse of a child. Not only does research suggest that there is an overlap between those who view child abuse material and those who engage in contact sexual offences, but the viewing of the material also contributes to the demand for its production.

Viewing the material needs to be understood as collusion in the continued sexual abuse of children. For victim-survivors, the knowledge that images of their abuse continue to be viewed and distributed extends the trauma of the original crime. Viewing these images is not somehow a virtual or victimless crime.

Second, it potentially mislabels the material as a legally acceptable form of pornography. Using the term “pornography” likens online child abuse material to an acceptable sub-genre of mainstream, adult, consensual pornography. Online child abuse material represents the photographic or video evidence of a criminal act against infants, children and young people.

Third, it contributes to the normalisation of child sexual assault. Research suggests that perpetrators sometimes use online child abuse material to desensitise themselves to the impact of their actions prior to committing a sexual offence, or to “mentally rehearse” the abuse. Perpetrators also use online child abuse material to “groom” child victims in preparation for contact sexual offences against them.

The images normalise that other children or young people are “doing these things”, and make it easier for an offender to coerce victims into sexual contact. It is in part for this reason that Australia and the United Kingdom, among others, have passed laws criminalising computer-generated, hand-drawn or otherwise simulated images of child sexual abuse – though not without some disagreement.

The extent of the problem

Figures released in early July by the Australian Communications and Media Authority (ACMA) showed a 550% increase in investigations into online child abuse material.

Such is the extent of the problem that ACMA not only has a role in the investigation of the use of online child abuse material but also in its removal. There is an ongoing attempt to stop the dissemination of such material both locally and globally.

The Victorian government’s proposed changes are a timely recognition that these crimes represent serious sexual abuse or exploitation of infants, children and young people. These laws will further support police to investigate and respond to these crimes quickly. This is particularly important, since forensic analysis of the images can help identify current victims of sexual abuse both in Australia and internationally.

The legislative changes are a crucial part of the response to child exploitation. But they must be accompanied by greater public awareness and partnership with industry, as well as improved service sector responses to online child sexual abuse.

Technology giants Google and Microsoft, for example, have supported the development of technology to assist in the identification and removal of child abuse material. Despite this, police reportedly

experience barriers when investigating perpetrators involved in the dissemination of the material online. These include the sheer scale of the problem, insufficient resources to support investigations both in Australia and in collaboration with police internationally, as well as sometimes a lack of co-operation from online and social media service providers.

Research further highlights the damaging impacts of online child abuse material for “affected” partners, families and communities of people who possess or distribute online child abuse material – in Victoria and Australia-wide. Much more needs to be done to support and respond to affected partners and their families.

We should stop using the term “child pornography” to talk about these crimes. Not only is it inaccurate, it is potentially damaging.

If you know of someone who has used or is using online child abuse material, you can report this to your local police or the Australian Federal Police. You can report offensive or illegal content you find online to the Australian Media and Communications Authority. For support or advice about someone you know using online child abuse material, you can also contact PartnerSPEAK.org.au.

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