University of Huddersfield Repository

Reeves, Carla

Blurring Fantasy and Action: the problem of virtual sexual ageplay

Original Citation


This version is available at http://eprints.hud.ac.uk/14362/

The University Repository is a digital collection of the research output of the University, available on Open Access. Copyright and Moral Rights for the items on this site are retained by the individual author and/or other copyright owners. Users may access full items free of charge; copies of full text items generally can be reproduced, displayed or performed and given to third parties in any format or medium for personal research or study, educational or not-for-profit purposes without prior permission or charge, provided:

- The authors, title and full bibliographic details is credited in any copy;
- A hyperlink and/or URL is included for the original metadata page; and
- The content is not changed in any way.

For more information, including our policy and submission procedure, please contact the Repository Team at: E.mailbox@hud.ac.uk.

http://eprints.hud.ac.uk/
Blurring Fantasy and Action: The Problem of Virtual Sexual Ageplay

Dr Carla Reeves

University of Huddersfield
Centre for Research in the Social Sciences
Today...

- Aim = to consider evidence to suggest that sexual ageplay in Second Life may be problematic and question the need for legal responses.

- Sexual ageplay = the virtual, simulated sexual abuse of child avatars by adult users in online environments.
How much ageplay?

18.3% report operating pre-adult humanoid avatars
Sexualised interactions involving ageplay
Legally problematic

- No ‘real’ acts of csa – consenting adults in adult domain
  - SOA 2003 – prohibits real world acts where one party does not or cannot give informed consent

- Not ‘real’ csa abuse images nor indistinguishable
  - CJPOA 1994 – prohibits pseudo-photographs of csa
  - CJIA 2008 – prohibits tracings or other images derived from (pseudo) photographs of csa

- Therefore, police have tended to concentrate on less controversial, related acts, such as distribution of real abuse images that often accompanies ageplay rings
  - Use ageplay rings as a way of indentifying likely perpetrators
Coroners and Justice Act 2009

- S. 62-68 Prohibited the possession of still or moving depictions of fantasy child abuse images
  - Control and/or ownership – does this extend to sexual ageplay?

- Arguments underpinning legislation:
  1. Fantasy images may be disguising real csa images
  2. Correlated with collections of real csa images
  3. May be used in grooming
  4. Viewing fantasy images may ‘encourage’ contact offending
Coroners and Justice Act 2009

- S. 62-68 Prohibited the possession of still or moving depictions of fantasy child abuse images
  - Control and/or ownership – does this extend to sexual ageplay?

- Arguments underpinning legislation:
  1. Fantasy images may be disguising real CSA images
  2. Correlated with collections of real CSA images
  3. May be used in grooming
  4. Viewing fantasy images may ‘encourage’ contact offending
Online sexual ageplay: gateway to contact abuse

Lowers internal inhibitions to contact abuse

- Desensitises
- Normalises deviant sexual attitudes
- Reduces social isolation
- Reinforces cognitive distortions
- Combats social stigma
- Shared values and culture
- Role-play fantasy
- Validates deviant sexual desires

Online supportive community

Cognitive rehearsal of CSA
However…

<table>
<thead>
<tr>
<th>Premature to prohibit</th>
<th>Disproportionate to prohibit</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Little research undertaken</td>
<td></td>
</tr>
<tr>
<td>• tends to be anecdotal</td>
<td></td>
</tr>
<tr>
<td>• Based on retrospective case studies</td>
<td></td>
</tr>
<tr>
<td>• Wider research is inconclusive as to (negative) effects</td>
<td></td>
</tr>
<tr>
<td>• Although is suggestive</td>
<td></td>
</tr>
<tr>
<td>• Some queries as to:</td>
<td></td>
</tr>
<tr>
<td>• Cognitive distance</td>
<td></td>
</tr>
<tr>
<td>• Possible catharsis effect</td>
<td></td>
</tr>
<tr>
<td>• Absence of actual harm caused</td>
<td></td>
</tr>
<tr>
<td>• No evidence of direct causal link to contact offences</td>
<td></td>
</tr>
<tr>
<td>• Criminalisation creep</td>
<td></td>
</tr>
<tr>
<td>• ‘thoughtcrime’ (Nair, 2010; 227)</td>
<td></td>
</tr>
<tr>
<td>• How risky is sexual ageplay?</td>
<td></td>
</tr>
<tr>
<td>• Virtual harms not legislated against in other contexts</td>
<td></td>
</tr>
<tr>
<td>• Morality concern?</td>
<td></td>
</tr>
</tbody>
</table>
Where does the current evidence lead?

- Position 1:
  - “A mere notion of perception of harm is distinct from clear and present danger of harm” (Nair, 2010: 231)
  - Distortion or harm principle to criminalise behaviours that carry potential of risk of future harm, rather than proven harms (Ost, 2009: 123)

- Position 2:
  - Seriousness of harm caused **IF** causally linked may be such to prohibit ‘in case’:
  - The precautionary principle
Remaining issues...

- Ageplay is not harmful in itself
  - But is it an outrage against public morals?
  - Should not intervene to preserve freedom of sexual expression?
- Does the nature of ageplay mean it has a stronger affect than viewing child abuse images or chatrooms?
  - What is this affect?
  - Even if it does lead to increased likelihood or real world offending should we criminalise it? (where do you stop?)
  - Consent given and lack of actus reus by player (does avatar count? They are not a legal entity)
- If this likely to lead to real world offending don’t we have similar problems with violent computer/online games?
Dr Carla Reeves

c.reeves@hud.ac.uk

http://www.hud.ac.uk/criss/staff/drcarlareeves.php

University of Huddersfield
Centre for Research in the Social Sciences

http://www.hud.ac.uk/criss/
References


