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Blurring Fantasy and Action: The Problem of Virtual Sexual Ageplay

Dr Carla Reeves

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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

- **mom-daughter**: 25%
- **daddy-boy**: 15%
- **daddy-girl**: 44%
- **mother-son**: 9%
- **transgender**: 5%
- **hermaphrodite**: 1%
- **sisters-twins**: 1%
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
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Online sexual ageplay: gateway to contact abuse

- Normalises deviant sexual attitudes
- Reduces social isolation
- Reinforces cognitive distortions
- Combats social stigma
- Shared values and culture
- Validates deviant sexual desires
- Role-play fantasy
- Cognitive rehearsal of CSA
- Desensitises
- Online supportive community

Lowers internal inhibitions to contact abuse
However...

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


