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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?

<table>
<thead>
<tr>
<th>Avatar Type</th>
<th>Percentage</th>
<th>Votes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tiny</td>
<td>6.7%</td>
<td></td>
</tr>
<tr>
<td>Child</td>
<td>12.6%</td>
<td></td>
</tr>
<tr>
<td>Fantastic non-humanoid (dragon, griffon, etc.)</td>
<td>5.2%</td>
<td></td>
</tr>
<tr>
<td>Realistic non-humanoid (dog, horse, etc.)</td>
<td>0.5%</td>
<td></td>
</tr>
<tr>
<td>Neko</td>
<td>8.7%</td>
<td></td>
</tr>
<tr>
<td>Other (specify in Comments)</td>
<td>3.3%</td>
<td></td>
</tr>
<tr>
<td>Human/humanoid avatar primarily inspired by RL</td>
<td>14.4%</td>
<td></td>
</tr>
<tr>
<td>Human avatar primarily inspired by RL self</td>
<td>22.8%</td>
<td></td>
</tr>
<tr>
<td>Human avatar primarily inspired by RL contemporary styles</td>
<td>20.9%</td>
<td></td>
</tr>
</tbody>
</table>

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

- **daddy-girl** 44%
- **mom-daughter** 25%
- **daddy-boy** 15%
- **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 csai images
  2. Correlated with collections of real csai 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

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

Lowers internal inhibitions to contact abuse
Howevers...

<table>
<thead>
<tr>
<th>Premature to prohibit</th>
<th>Disproportionate to prohibit</th>
</tr>
</thead>
</table>
| - Little research undertaken  
  - tends to be anecdotal  
  - Based on retrospective case studies  
- Wider research is inconclusive as to (negative) effects  
  - Although is suggestive  
- Some queries as to:  
  - Cognitive distance  
  - Possible catharsis effect  
| - Absence of actual harm caused  
- No evidence of direct causal link to contact offences  
- 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


