

THE GROOMING OF CHILDREN Exposing children to pornography

Introduction

1 Pornography involving the use of children either as victims of sexual assault or as “props”,¹ is child pornography², and is a specific offence under section 27(1) of the *Films and Publications Act, 1996* (the Act³). Exposing children to pornography, on the other hand, is not child pornography, although it is just as much an assault and an abuse of children as child pornography. Child pornography is evidence of a sexual assault and therefore a picture, or “a crime scene”, of a serious and often

¹ In *S v James McNeil*, the Court convicted McNeil of indecent assault...“*Although...the accused does not touch the child, neither does the child touch the accused, there is no doubt in the Court’s mind from what is observed and heard on the video that the accused both overtly and directly participated in involving the child in the sexual activities between himself and the female and also intentionally exposed the child to sexual acts and objects...The child wasexposed to sexual activities and sex objects, clearly with a view to grooming the child. This type of behaviour is clearly contra bonos mores and frowned at by society, and the Court has no hesitation in finding that it constituted an assault of an indecent character upon the child...*”

² Many jurisdictions refer to “child abuse images”, which is the more appropriate term when images are involved. These are not images of what is suggested by the expression “pornography” but images of the torture, brutalisation, maiming, and even murder, of children. However, it must be noted that South African legislation also criminalises *descriptions*, and not just images, of child pornography and using the expression *child abuse images* might suggest that *descriptions* of child pornography are acceptable and not a criminal offence. Perhaps “*child abuse materials*” is more appropriate as including both images and descriptions – as used in Australian legislation

³ The *Films and Publications Act, No 65 of 1996*, has been amended by the *Films and Publications Act, No 34 of 1999* and the *Films and Publications Amendment Act, No 18 of 2004*

unspeakable crime against a child by everyone involved in the making and distribution of such an image. The creation or making of child pornography involves the *contact abuse of children*. Exposing children to pornographic images and descriptions, as well as to overt sexual activities, is *non-contact sexual abuse* but its effects on children are no less traumatic than contact abuse. While there should, therefore, be no difference between *contact* and *non-contact* abuse in so far as the protection of children is concerned, these two offences are treated differently in the Act.

Effects of non-contact sexual abuse on children

Exposing children to pornographic materials or overt sexual activities is not just a moral issue. Recent research on the effects of pornographic images on the brain⁴ showed that pornographic images bypass certain safety centres in the brain. While photographic images, unlike real-life images, pass through a centre in the brain that allows individuals to decide whether the image is real and should be stored as such or discarded, pornographic images shortcut this centre and are stored in the brain like a real-life experience. This has a dramatic impact on the behaviour of people exposed to pornographic images and often remains embedded in their memories for long periods.

⁴ See, for instance, *The Psychopharmacology of Pictorial Pornography Restructuring Brain, Mind & Memory* by Dr Judith A Reisman, The Institute for Media Education and The “Doctors For Life” affidavit in the Tascoe de Reuck case

2 The findings of “child behaviourists”, as well as the experience of many child care practitioners, strongly suggest a connection between children, especially within dysfunctional families, and non-contact sexual abuse, like exposure to pornographic materials and overt sexual activities.

- Araj⁵, for instance, found, in the interaction patterns in the homes of sexually abusive children, conflict and “non-normative sexual environments”, such as exposure to adult sexual activities and pornographic materials. She cautions that sexually abusive children should always be evaluated for the possibility of having been exposed to sexually explicit materials.
- Hewitt⁶ also makes the point that, in all cases of child sexual abuse, it is important to screen for the possibility that the child was exposed to pornographic materials as this exposure itself can have the same impact on a child as actual sexual abuse. See, also, Myers⁷: “*Sexual touching is not the only kind of child sexual abuse. It is also abuse to intentionally expose a child to pornography.*”
- Gill and Johnson⁸ describe the experience of a child's exposure to explicit sexuality as follows:

⁵ S K Araj, *Sexually aggressive children*, Sage Publications (1997)

⁶ Hewitt, *Assessing allegations of sexual abuse in preschool children*, Sage Publications (1999)

⁷ Myers, *A mother's nightmare-incest*, Sage Publications, (1997)

⁸ Gill and Johnson, *Sexualised children*, Launch Press (1993)

“.....a frightened four-year who is forced to observe or be part of sexual intercourse between two adults cannot fully understand what is happening. The child may comply and go through the motions while emotionally he leaves his body or pretends to be invisible. The child's memory of the event may not be intact, yet he may suddenly repeat phrases he heard during the experience, have intrusive flashbacks of the adult's faces.....may suddenly become terrified in the presence of a male adult or may refuse to go to bed, remembering on some level what occurred previously in that bed. These are ways in which children re-experience fragmented aspects of trauma through behaviour, sleep disturbances, or post-traumatic stress symptoms such as intrusive flashbacks.” (Emphasis added)

- According to Dr Renee Potgieter⁹, what Gill and Johnson above describe is a very typical reaction of children who have been exposed to pornography. “*In one case handled at the RP Clinic a child of eight years old, who had viewed pornographic material, suddenly lost all interest in school...during assessment of the child it became clear that he was pre-occupied with the pornographic material to which he had been exposed. In therapy he kept on drawing the explicit sexual material that he had been exposed to.*”

⁹ Renee Potgieter, *The Relationship Between Pornography and the Sexual Abuse of Children: View from Literature and Personal Experience*, Pretoria (2001)

- Slightly more than a third of convicted child molesters claimed to have been incited to commit the offence by exposure to pornography, and more than half of them deliberately used the stimuli of pornography as they prepared to commit their crimes. The study¹⁰ also suggests that exposure of children under 14 years to pornography is related to greater involvement in deviant sexual practices, particularly rape.
- In another study¹¹ of child molesters, 77% of those who molested boys and 87% of those who molested girls admitted to the habitual use of pornography and using pornographic images to demonstrate to their victims what they wanted them to do and to lower a child's inhibitions and communicate to the child-victim that a particular sexual activity is normal and "okay".
- Many child care practitioners also attribute an increase in pregnancies and sexually-transmitted diseases among children to exposure to pornographic materials and adult-like sexual activities.

¹⁰ W- L Marshall, *The Use of Sexually-Explicit Stimuli by Rapists and Child Molesters*, Journal of Sex Research No 25, 1988; Malamuth and Donnerstein, *Pornography and Sexual Aggression*, Academic Press (1984)

¹¹ *Take Action Manual*, Washington DC : Enough is Enough, 1995-96