



Causes, Prevention and Law Concerned With Cyber Child Pornography

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Abstract

One of innocent creature of this universe is children and sexually harassing innocent children under the age of eighteen via internet is called child pornography. It is an alarming cybercrime today. People involved in these acts use animated cartoons, films, videos, images and magazines to satisfy sexual desires. This article describes the types of child pornography, associated risk factors and preventive legal measures adopted in Pakistan and worldwide. Access to internet and uncontrolled usage has led to increased child molestation cases. Paedophile cases in Pakistan led to the formulation of new laws under the United Nations Children's Rights Convention (UNCRC). Role of Federal Investigation Agency (FIA) and Non-government Organizations (NGOs) is also discussed. The Source sites where the exchange of porn material occur is dark web, its usage and how law enforcement agencies trying to shut it down are made clear here. The tools and techniques helpful in the investigation of child pornography are briefly discussed.

Keywords: cyber crime, investigation, sexual harassment, society, magazines, animations, Children, Pornography.

1 Introduction

Presently there is no definite explanation of child pornography except different reviews of different states. The federal law of US explains that a child under the age of 18 is included in the explanation of child pornography films, animations, magazines and other sexually unambiguous conducts. Sexual intimacy, barbarity, masturbation, and 'lascivious exhibition of the genitals or pubic area' are included in sexually unambiguous conducts. Different explanations are defined by different states so child pornography is difficult to specify in one-liner definition. [1,2]

Masterminds of Child pornography may use child pornography to justify their sexual urges or to blackmail victim, many pornographic criminals are motivated to collect the material for sexual encouragement and for sexual inspiration. So the cases found are not only of child intercourse, exchange of images but many others types that makes for law enforcement agencies difficult to identify child suffering from child pornography. [3]

2 Legal Definition - Child Pornography

Child pornography is basically categorized in two main groups that include different forms of material like images and media. According to the federal law any viewable representation of sexually unambiguous act is considered as child pornography [4]

Visual illustrations containing child pornography are deemed illegal under federal law. These may include photographs, videos, digital downloads, and images produced to depict an actual minor, undeveloped film and video and electronically stored data. Some states consider age of consent to be younger than 18 years old, any depiction of a minor engaging in sexually unambiguous act below 18 year of age is unlawful. [5]

3 Distribution Methods of Child Pornography Material

There are many different acts that are

criminalized when it comes to child pornography and many of these cases allege that the defendant did one or more of the following:

- Downloading images;
- Uploading images;
- Sharing images online;
- Possessing image files on a Smartphone or computer;
- Sending image files via email, text messages, or other online messaging;
- Soliciting minors to participate in making child pornography, often online;
- Arranging meetings with a minor online and traveling to the planned location.

3.1 Risk Factors

Like many other terms, people often make references to child pornography without fully understanding exactly what it may mean in the eyes of the law. Child pornography is increasing rapidly day by day that can destroy generations. It is important to have an understanding of this because there may be things that could be considered as child pornography that they are not aware of.

Department of Justice in USA explains, pornography of children as defined by federal law may include a variety of things. It is also an area that is not protected by the First Amendment. Videos and photographs, even those that are not developed, as well as files stored in electronic format may be pointed to as child pornography. Images or videos of children less than 17 sexually abused or involved in any sexual physical activity is considered as child pornography.

The child does not have to be actually engaged in a sexual act in the image as it is the overall level of sexual suggestion that may lead a particular image to being deemed pornographic. The law makes it illegal to possess, import, distribute or produce such materials. A person may also be charged with a crime for being given such images from someone else. Federal law considers child pornography a form of sexual exploitation and is sometimes referred to as child sexual abuse images.

4 Addiction of Child pornography

Although sexual abusing of children is not a new crime it has been declared as social problems for almost twenty years, current laws enforcement

agencies and social media is giving full attention to the child abusing through Internet. The evolution of sex crimes facility through Internet, along with child pornography control, has given birth to some critical questions regarding uses and abuses of internet and law enforcement agencies are working against these abuses. [6]

The problem of toddler pornography possession becomes idea to be minimized prior to the emergence of the internet. The availability of baby pornography had declined due to felony moves and statutory revisions. But, there is a popular consensus that the internet has made toddler pornography harder. Electronic baby pornography may be received and traded on the sector wide internet, the usage of internet Relay Chat and via other on line sources. On-line, toddler pornography possessors can download infant pornography for collections and distribute photographs to different customers. Internet child pornography ownership cases involve the use of the internet or laptop technology to own and/or gather electronic photos of baby pornography. These investigations gift challenges for regulation enforcement agents within the United States of America and around the world. This take a look at explores law enforcement dilemmas related to defining infant pornography in a pattern of 34 net child pornography ownership cases wherein no perpetrator was arrested. [7] rising in these investigations and gives pointers related to those incidents. The internet has spread out new possibilities for investigation and proof collection in child sex crimes. New era can provide law enforcement retailers with powerful guns and forensic proof frequently missing in traditional child sex crimes. On account that a lot of what takes place on the net leaves a virtual trail, it is viable that this may truly facilitate police investigations of a few toddler sex crimes. [8]

4.1 Issues in Internet Child Pornography

This evaluation tested regulation enforcement dilemmas associated with defining child pornography an internet crime. Regulation enforcement businesses look into those instances using conventional and undercover strategies and might stumble upon precise dilemmas related to the nature of these incidents.

Moreover, there may be significant statutory variant amongst countries and countrywide definitions of baby pornography. There also can be demanding situations related to settle up with truth. These problems can create obstacles for regulation enforcement. [9]

5 Darknet or Darkweb

Darknet means portions of the Internet that are not found by popular search engines. The users remain anonymous; hence the darknet is often a magnet for criminals.

To gain access to the darknet a so-called "Tor Browser" is needed. Because of the high degree of anonymity, the darknet is known as a transit point for drugs, weapons or child pornography. Alternatively the term "deep web" is used. [10]

5.1 Darknet, Darkweb or Deepweb an online parallel universe

The darknet or darkweb offers a menu of illegal activities. It is a platform for the offenders for all illegal activities related to child pornography. Material related to child pornography is not easily accessible through normal browsing but this darknet's anonymity provides refuge to activists. Almost 20 percent of internet is covered by the search engine of Darknet. It is not a simple web but a complex initiative. First of all entering here and becoming part of or member of this Web is not easy. There are proper procedures for that. Then Porn videos and images cannot be easily obtained. Images are hidden in combination of different images; same is the case with videos. Porn videos are hidden between different normal videos. This story is not ending here it continues and these images and videos are in encrypted form and are saved by proper passwords. Encrypting software is required to be developed. Darkweb investigators have been trying to make such software since 2016.

5.2 Investigator's focus: Darknet a platform for child porn

An alarming situation for law enforcement agencies is that this platform is being used by almost 90,000 members all over the world for the exchange of material that shows children being sexually abused. Recent reports and

investigators of Germany and Austria claims that exchange of sexual material has been shut down. The culprits of videos and images showing physical abuse of children are being caught and their systems has been closed. 39 years old German man was caught involved in running illegal site. By the help of this old German's statement investigators are trying to reach the roots of this site. [12]

6 Discussion of few pornography cases

6.1 Child's Physical Abuse images swooped by German Police

In an investigation German police found almost 67 people suspected for their involvement in darkweb. They found systems using IP addresses from where they share sexual material on darknet. The suspects, aged between 18 and 80, were suspected of sharing videos and images of child sexual abuse over the online platform Chatstep. Police said the individuals were identified with the help of "very good cooperation" from the operators of the service. Like other US-based service providers, Chatstep is obliged to tell US authorities about any cases in which child abuse images were exchanged. [13]

6.2 Childs Play for 11 months, Australian police running child porn

A Norwegian newspaper revealed in a major English-language investigative piece that Australian police ran a popular child pornography darknet website for almost a year. [14]

An IT expert investigating for Norwegian tabloid Verdens Gang, known as VG, discovered that the child abuse site called Childs Play was being hosted by police in the state of Queensland. VG made the discovery by exploiting vulnerability in the site's code to reveal its IP address. VG reporters flew to the city of Brisbane to confront police on why they were hosting one of the world's major child abuse image-and-video-sharing sites. They were told details of the operation on condition they did not publish until police were ready. It turned out

police had been running the site for last two years, after the site's Canadian administrator, known as WarHead, was arrested in the US state of Virginia. . [15]

6.2.1 Running multiple sites

Police told VG they had been tracking WarHead, also known as Curiousvendetta, after discovering his true identity when he posted on a technical forum asking for help on code he was using on a separate child abuse site called Giftbox. WarHead reportedly met up with Crazy Monk, his co-administrator on the Giftbox site who was also being tracked by police, at a house in Virginia to rape a four-year-old girl on the invitation of a fellow forum user. That was when they were arrested by US police and handed over the keys to Childs Play. Queensland's Argos Taskforce have built up a reputation for infiltrating and taking down child abuse websites and had been investigating the Giftbox site for some time. They also had a legal advantage over most Western police forces in their ability to commit offenses in pursuit of criminals. So a Department in US of Homeland handed over the keys to the website to Argos, police told VG. Argos reportedly took over the site and began impersonating WarHead, even posting abuse images until September 2017, when they quietly took the site down. The Norwegian outlet published soon afterwards. During this time police monitored communication on the site and altered code to unmask its users. . [16]

6.2.2 More than one million accounts

Police told the Norwegian journalists that their control of the site and its database of more than one million users yielded information that led to children being rescued and abusers are being locked up. The taskforce was now in the process of sending cases to police around the world. Police told VG that they had a list of between 60 and 90 people on their target list. . [17]

6.3 Australian Doctor Child Pornographer

An Australian Skin Cancer doctor accused of making child pornography. Doctor is behind the

bars after accusing that he was involved in possessing and distributing child pornography. Arrested in Canada while he was there as a visiting doctor for some major surgeries.

6.4 Operation Avalanche

Operation Avalanche was held at United States in Fort Worth (15th largest city in United States). This operation began in 1999 and ended in 2001. Almost 144 suspects were attested and 100 were found guilty and involved in child pornography. A site Named Landslide Production suddenly became very popular within two years. It seems that this site lists the credit card frauds and information regarding stolen cards. Nothing about Child pornography found unless the user proves identity and encrypt the data found by opening some special sources. There were images and videos of young children being raped and physically abused. The master mind of this site was a husband and wife named Thomas Reedy and Janice Reedy. Both of them were self-made programmers of computer science. Their aim was just to earn money and they did. They earned almost \$10 million within 2 years with 300,000 subscribers from all over the world. They were caught by the overview of Reedy's hard drive during investigation.

7 Tools and techniques used in the investigation of child pornography

There are some tools used by the investigators in investigating child pornography cases. It involve

- Visual tools
- Automated Video Retrieval tool
- Child Pornography Offender Risk Tool
- Database
- Adroit Photo Forensics

These tools work on the principle of image processing. Images found are processed, filtered, enhanced some methods are applied and at the end they are classified. The investigation techniques include identification of distance between eyes nose and mouth for the identification, identification of skin color, identification of body parts and age of the victim and identification of child. Another technique applied is Reverse image search. Computer programmers have developed some software

that detects the image. Reverse image search works on the same principle. When the image is uploaded, the software compares the image with the images used in social websites. And gives the result, if the same image or any image of that child is used somewhere else on any social website. Although all of these are not 100 percent accurate but it is helpful for law enforcement agencies many times.

8 Prevention

8.1 Preventive Legal Measures in Pakistan

The Senate handed a bill in 2016 against the criminals of child pornography, sexual harassment and trafficking. The modification to law generating agencies, that will be enforced on the public after the final recommendation of the president, the age of criminal responsibility also increases from seven to 10 years of age. Under the revised rules, sexual assaults will now be punishable [18]

Similarly, infant pornography, which turned into punishable crime now was previously not mentioned within the law, may be punishable by means of seven years in prison and a satisfactory amount of Rs1.7 million. Pakistani investigation agencies and law enforcement agencies became active, when revealed the exchange and transfer of pornographic material including images and videos from a small village in Kasur district named Hussain Khanwala in Kasur district were created and distributed all over the world. [19] The united states become active in August 2016 by means of a primary paedophilia scandal (Catholic Church Case) when girls and boys under the age of 12 were sexually harassed by the priests of the church.

8.2 The Federal Investigation Agency (FIA) and child pornography

FIA is an investigating agency in Pakistan that took great action to curb child abuse. [20] FIA caught a gang in Jhang with the help of Interpol Canada, who were indulged in the sharing of pornography material. Offenders were arrested with the 60 Giga bytes of data. [21] The data include porn videos images animated films, ads etc. The data found in laptops, hard drives and

other storage devices and a professional computer engineering found involved. [14] IP addresses are the main sources that were found helpful in tracing the culprits. Acting upon such crimes improves the living standards as well as the security of children. [22]

8.3 Punishment for child pornography in Pakistan

There was no law of punishing the criminal of child pornography before the famous Kasur case that happened in 2015. [23] This was the first case of child pornography that came in social media and provided awareness to the people. [24] After this case a law was passed by the national assembly of Pakistan which stated that Child pornography offences in Pakistan can be prisoned ranging from 2 to 7 years including a small amount of money. [25] This punishment was not enough as this crime is increasing day by day so on 11 August 2016 a new cyber law was passed. [26] According to that law Child pornography offences in Pakistan can be prisoned ranging 14 to 20 years including some amount of money. [27]

8.4 Role of Non-Government Organizations (NGOs)

According to a survey law enforcement agencies in UK are paying special attention on the internet related crimes including child pornography. [28] They have arrested almost 1,713 criminals involved in the activities like possession of child, pornography depicting graphic sexual images, possessed images depicting prepubescent children etc. [29]

9 Big issue

Technology has made child pornography more pervasive. The age of computers and social networks and social media has led to a sky rocketing number of crimes involving child pornography. [30] The types of persons who commit this offense often do not have any criminal history that involves the sexual abuse or exploitation of children, nor do they have any prior felony. [31] Access to child pornography can be accessed from the privacy of home computer over the internet. Gone are the days when producing and distributing these kinds of

images was difficult and expensive. Anonymous distribution was not possible.[32] The Explosion in the volume of child pornography is the result of technology abuses. [33]The ease that technology has provided to the people of getting the wanted material on a single click, by millions of people at the same time is the basic source. Apart from this getting such images digital movies, magazines and other material on child pornography is not at all difficult in this social world and that is indeed an alarming situation [34]

10 Working

Many NGOs are working against this child pornography. NGO is a non government organization that work for the welfare of human rights. [35] According to a survey the percentage of this abusing is unfortunately increasing 4.3 percent every year, and that is an alarming situation. The second alarming and shocking thing to be noticed is that according to a report the rate of child pornography is almost 150 in a year aged 6 to 10 comparatively to the rate of child pornography in boys is higher 178 cases in a year.[36] In such situation it is very important to take some serious steps to realize obligations of Pakistan under United Nation's Convention on the Rights of the Child (UNCRC).[37] Pakistan ratified here in 1990 under the obligation to obey the rules and implement its outline by the cooperation of police, special law enforcement agencies. [38] Establishment of a national commission on child rights, to monitor and coordinate the proper working of implemented, legislation, special departments for the report of progress to the committee.[38] This will provide a jump board to the Children Rights in Pakistan. Every country that is connected in this committee is answerable of the progress after the period of five year. [40]

Many state and federal law enforcement agencies may engage in undercover sting operations in which they pose online as either minors or other individuals seeking child pornography.[41] These operations can result in the search of home, including all smart phones, laptops, tablets, desktops computers, and hard drives.[42] If evidence of child pornography is found, criminal can be arrested and charged with a third or second-degree felony, or even federal

charges, depending on the circumstances and the acts alleged.[43]

10.1 Contact Police and crime investigation agency

The production, possession or allocation of child pornography is a humorless crime. If found any evidence that someone is committing an act that is connected to child pornography, it is best to contact the police first and the second important act that should be done is to inform the nearest cyber crime investigation agency. In Pakistan National Response Center for Cyber Crime Federal Investigation Agency Pakistan (NR3C) is working under FIA specified for the electronic or technical crimes. Every citizen in Pakistan can easily contact to NR3C through E-mail helpdesk@nr3c.gov.pk for help. Official website of NR3C can be visited <http://www.nr3c.gov.pk/contact.html> where address, fax number and contact number is given for every city. Their aims and objectives are completely described on this link and online complain system is also available for the ease of victim. [44]

11 Conclusion

Cybercrimes such as child pornography is increasing at an alarming rate due to advanced technology tools. Not only Pakistan but many countries are also affected by the heinous crime and some legal measures have been implemented by law makers to curb this criminal act. The role of private organizations like NGOs and public agencies is warranted to enhance social awareness and to enforce penalties. Better tools and techniques are being developed by the researchers to reduce the rise of this crime but government and public support and cooperation is necessary. Victims should raise their voices without any fear of privacy issues and of being mistreated. Trust should be developed between public and law enforcement agencies.

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