

**AN INVESTIGATION INTO EXISTING MEASURES
AIMED AT RESTRICTING THE USE OF THE INTERNET
AS AN AVENUE TO INITIATE SEXUAL ACTIVITIES
WITH ADOLESCENTS**

Compiled by

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In compliance with the prerequisites
for the degree

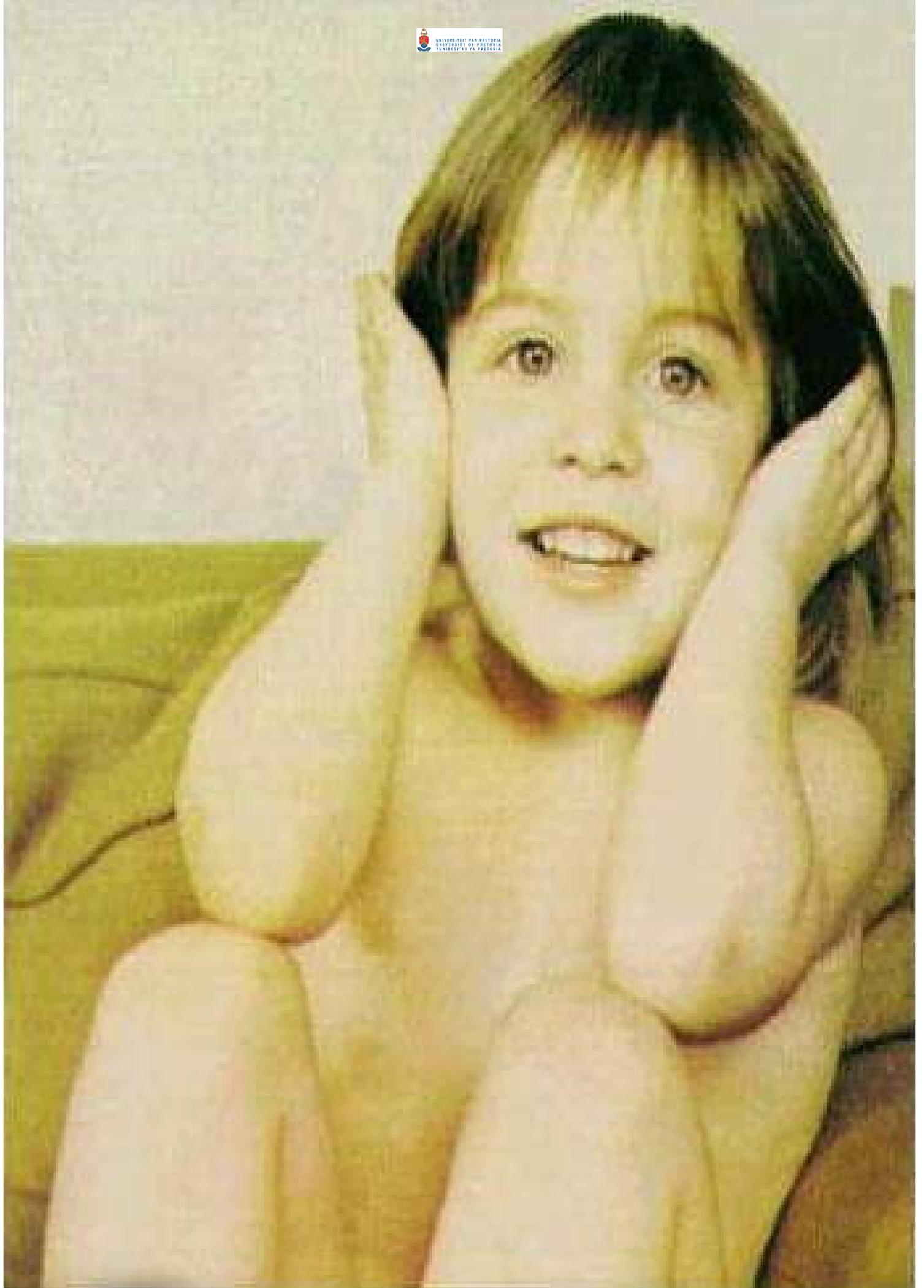
MAGISTER ARTIUM (CRIMINOLOGY)

in the

Department of Social Work and Criminology
Faculty of Humanities
University of Pretoria

Supervisor: Dr. Christiaan Bezuidenhout

Pretoria
May 2006



*Hiya,
my name is ki *mm* ie...
i was four years old when this picture was taken...*

*i had all ready been molested for two years or more when this was
taken...*

*this picture was taken right off the internet to day...
iv cropped it so that it is suitable to show here...*

*on that page a lone there are at least 6 more of me...
and that is only 1 page outa bunches...*

*my whole purpose of showing this picture is educational...
awareness that this could be your
niece...sister...daughter...neighbor...
sadly...it was me...*

*constant...daily...emotional...sexual...
physical...molestation...
for years...molested...*

*not by just one or two peoples...
there were many many peoples...
i was at that place all my growing-up years*

i'm out of there

*if you adds the numbers by the government...
it would be equal for every 4th house in america...
would have a child molester living there...
1 child molester usallys molestes 117 little childrens...*

*some one e-mails me and says my baby picture is "seductive"...
there is NOTHING "seductive" in ANY way bout childrens or babys...
dressed or not...childrens and babys DONT know "seductive"...but if
you truly do finds my baby picture taken of me when i didnt even
know what molested was or other stuffs...then please get
professional helps...not on internet...with real doctor...please...*

*child molesters thinks babys want seks...we DONT...
big difference be tweens consenting adults...and child...
molestation...*

*some one askd how i find the pages with my pictures...
i was looking for cartoons and animaes...i love animaes...and
cartoons... specially animated gifs and faerys...*smile*...*

*i was askd if it hurts so bad...why go to the pages?...why put one
here?...*

*YES HURTS... really really bad...mostly i crys...
and scarred to...*

*but important to lets those that dont know see...and protects
babys...on internets...*

and its the only way to gets some of my magics ... my power back...

*all my life... THEY TAKES... my magic...my power...
leaves me NOTHING in sides...EMPTYS...*

*but now i TAKES BACK little of my magics...my power...sadly not
much...but some...and im gonna till... NO more pictures...i hopes i
says this right...*

*i wont link to "ABUSE HELP" groups
the ONLY time i get told bout sex toy on internets...came from...a
person... i didnt askd for informations bout sex toy...i askd ONLY to
get help with links...to try to helps...
it was a Doctor...ON INTERNET...(but i been told any ones can buy
Doctors papers)...be very care fulls...dont tells on internet...tells
some one YOU TRUST in PERSON...*

*i got over 137 e-mails telling me how much this page helps peoples...
in just... 2 1/2 days...*

*most come from parents and abused...thanking me for courage...
and lots still dont knows i was haveing troubles...i got these e-mails
from all over the whole world...THANK YOU for supports...i love
you... most knows how hard... JUSTS TO TELLS...cause we dont
trusts lots...*

YES i got some strange e-mails to... strange e-mailers DONT e-

*mails me...please
peoples who could only finds faults with me or my ONLY way to fights
back...peoples tells me to tells you...
compassions and empathy and friend ships are much better
helps...and that those peoples know im all ready fighting really
hard...please dont make it harder for me...o.k...*

*some one says i dont spell good...i know...im sorry...i wasnt allowed
classes...if i could tells where i was you would know how they can
keep me from classes...it wasnt religious ...but a cummunne and very
power full...i was owned by thens...i was borned there ...i think...*

*i never got to see my mommy...no one knows who she is...and no one
knows my daddy to...
mostly big girls baby sits me...takes care of me...*

*this has to be says BY ME...IN MY WORDS...the peoples that help
me KNOW THIS...please for give the spellings...see the
message...and i was told to says this... if you have a 8 year
old...they got 1 year more classes than me...and if they got the pre
schools 2 years more...*

*most little girls would love to be a cover girl...
i am...
for pediphiles and child molesters...
and each time i find my pictures on the internet...
it is molesting me a gain...*

*my purpose is, hope fully, to wake up those that participate in this
action...*

*to the fact...
it is not just a childs body you defile...but so very much more...*

*your sexual gratifacation...
is destructive...in so many ways...physical...emotional...spiritual...
to your innocent victums of your sexual whims...
you will destroy much...but we will NOT give you our souls...*

*yes this is a sad page...as it should be...
BUT it is all so a celebration...*

*and a tribute...to my Guardian Angel... ~Angelfire...
it is her strength that gives me the courage...to show and says what
has to be said here.*

(Angelsbreath: A whisper from kimmie, n.d.)

DECLARATION

Hereby I,

Laetitia Campher

declare that the dissertation submitted for fulfillment of the degree Magister Artium in Criminology at the University of Pretoria is my own work and has not previously been submitted for a degree at another university.

LAETITIA CAMPHER
May 2006

Dedicated to:

**My mother and father, Zuzette and
Chris Campher**

EXPRESSIONS OF GRATITUDE

With the completion of my study I would like to thank the following people for their unique contributions and assistance with regards to this dissertation:

- My Heavenly Father for his guidance and for giving me the strength to complete this study.
- Dr. Christiaan Bezuidenhout, my supervisor, for his meticulousness, guidance, and support.
- Prof. Antoinette Lombard for her support and motivation.
- All the research participants with whom I conducted the interviews.
- Dr. Linda Davis, Ms. Harriet Klopper, Ms. Marlene Nel, Ms. Zuzette Campher and Mr. Chris Campher for their dedication and precision while proofreading this dissertation. Thank you very much for all the motivation and for your willingness to help me.
- Ms. Linette van der Merwe for the translations.
- Ms. Tania Steyn and Ms. Marie Raubenheimer for helping with the finishing touches.
- Louis Nel for his patience, support and kindness.
- My parents for their support, love and motivation. Thank you very much for always being there for me.
- My grandmother for all her prayers.
- All my friends and all my colleagues for their support and motivation. I love and appreciate you all.

SUMMARY

TITLE: An investigation into existing measures aimed at restricting the use of the Internet as an avenue to initiate sexual activities with adolescents

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DEPARTMENT: Social Work and Criminology

DEGREE: Magister Artium

The Internet allows individuals to make contact with other individuals, without divulging personal details or information. This means that the user has the choice to remain anonymous. Although the Internet has numerous advantages, the anonymity with which it can be used could cause certain problems. The anonymous nature of the Internet makes it extremely difficult to determine who is gaining access to personal information about Internet users. Thus it becomes an ideal avenue for paedophiles to gain access to information about adolescents and to use this information in the process to get close to, and to abuse them.

Few parents who allow their children to use the Internet are aware of paedophiles' activities on the Internet. This dearth of knowledge about the ways in which paedophiles operate, necessitates that parents and guardians should be educated about the potential dangers the Internet could hold for their children. This is especially necessary "as computers are becoming more and more a part of our daily lives, and computer literacy is a necessity in today's computer driven world" (Haupt, 2001:26).

Within this study the qualitative approach has been used. Interviewing was used as a method of data collection. The purpose of the interviews was to probe particular aspects in depth. An interview schedule was used during the interviews as a guide for the interviewer, and contained relevant questions which ensured that all the necessary aspects were covered during the interview. The focus of the interviews was to determine new avenues that

paedophiles utilise to approach children for sexual purposes. In addition, the interviewer enquired if the experts have dealt with South African case studies, where an individual used the Internet to gain access to children. The adequacy of current South African legislation regarding child pornography and sexual activities with adolescents via the Internet was explored. Research participants were asked to discuss the existence of preventative measures to curb the use of the Internet for the enticement of adolescents for sexual purposes. Subsequently the existence of awareness campaigns to make parents or caregivers and children more aware of the dangers that the Internet poses for adolescents was discussed.

After conducting the interviews, they were transcribed and interpreted. The research findings derived from the interviews were categorised and these categories were discussed. The analysis of the data indicate that the global problem with regards to the use of the Internet as an avenue to initiate sexual activities with adolescents is still vaguely grasped in South Africa. The fact that only one reported case of a child in South Africa that was approached by a paedophile online was identified, accentuates the dearth of knowledge regarding this social problem. Although it is not easily detectable, it is still a serious problem that needs to be attended to, especially when taking into account that more than three million South Africans have access to the Internet. In addition, children spend the majority of their leisure time using computers and being on the Internet (CIA – The world factbook: Communications South Africa, n.d.). Thus, this problem can only become worse in future. The Internet can be the child's best friend, or worst enemy. Therefore it is the responsibility of all parents, guardians and the community to protect children against the negative aspects of the Internet.

OPSOMMING

TITEL:	‘n Onderzoek na bestaande maatreëls wat daarop gemik is om die gebruik van die Internet as ‘n wyse om kontak met adolessente te inisieer, te beperk.
STUDENT:	Laetitia Campher
PROMOTOR:	Dr. Christiaan Bezuidenhout
DEPARTEMENT:	Maatskaplike Werk en Kriminologie
GRAAD:	Magister Artium

Die Internet skep die geleentheid vir individue om kontak te maak met ander individue sonder om persoonlike inligting of informasie bekend te maak. Dit behels dat die gebruiker die keuse het om anoniem te bly. Alhoewel die Internet verskeie voordele het, kan die anonimiteit waarmee dit gebruik word sekere probleme skep. Die anonieme aard van die Internet maak dit moeilik om te bepaal wie toegang verkry tot persoonlike inligting rakende Internetgebruikers. Dit is dus ‘n ideale weg vir pedofiele om toegang tot inligting oor adolessente te verkry en om hierdie inligting te gebruik ten einde nader aan hulle te kom en hulle te misbruik.

‘n Beperkte aantal van die ouers wat hul kinders toelaat om die Internet te gebruik is bewus van pedofiele se aktiwiteite op die Internet. Hierdie gebrek aan kennis met betrekking tot die wyses waarop pedofiele optree, noodsaak die opvoeding van ouers en voogde ten opsigte van die potensiële gevare wat die Internet kan inhou vir hul kinders. Dit is veral nodig in die lig van die feit dat rekenaars besig is om al hoe meer ‘n deel van ons daaglikse lewens te word en rekenaargeletterdheid ‘n noodsaaklikheid is in vandag se rekenaargedrewe wêreld (Haupt, 2001:26).

Tydens hierdie studie is ‘n kwalitatiewe benadering gevolg. Onderhoudvoering was gebruik as ‘n metode van data insameling. Die doel van die onderhoude was om spesifieke aspekte in diepte te ondersoek. ‘n Onderhoudskedule was gebruik as ‘n gids vir die onderhoudvoerder en het

relevante vrae bevat wat verseker het dat al die nodige aspekte gedek word gedurende die onderhoud.

Die klem van die onderhoude was om nuwe maniere wat pedofiele aanwend om kinders te nader vir seksuele doeleindes te bepaal. In dié verband het die onderhoudvoerder navraag gedoen of die kenners te doen gehad het met Suid-Afrikaanse gevallestudies waar 'n individu die Internet aangewend het om toegang tot kinders te verkry. Die geskiktheid van bestaande Suid-Afrikaanse wetgewing met betrekking tot kinderpornografie en seksuele aktiwiteite met adolessente via die Internet is ook verken. Navorsingsdeelnemers was gevra om bestaande voorkomingsmaatreëls, ten einde die gebruik van die Internet vir die uitlokking van adolessente vir seksuele doeleindes te beperk, toe te lig. Bestaande bewusmakingsveldtogte om ouers of voogde en kinders meer bewus te maak van die gevare wat die Internet vir adolessente inhou is ook bespreek.

Nadat die onderhoude gevoer is, is die onderhoude getranskribeer en geïnterpreteer. Die navorsingsbevindings wat uit die onderhoude verkry is, is gekategoriseer en bespreek. Ontleding van die data toon dat dié wêreldwye probleem, naamlik die gebruik van die Internet as 'n wyse om seksuele aktiwiteite met adolessente te inisieer, nie na behore begryp word in Suid-Afrika nie. Slegs een gerapporteerde geval in Suid-Afrika, van 'n pedofiel wat 'n kind aanlyn genader het, is geïdentifiseer. Dit benadruk die gebrek aan kennis betreffende dié sosiale probleem. Hoewel dit moeilik is om die omvang van die probleem te bepaal, is dit 'n ernstige probleem waaraan aandag geskenk moet word. Verder moet in ag geneem word dat meer as drie miljoen Suid-Afrikaners toegang tot die Internet het (CIA – The world factbook: Communications South Africa, n.d.). Kinders wat toegang tot rekenaars het, spandeer die meerderheid van hul vrye tyd op rekenaars en op die Internet. Hierdie probleem kan dus net vererger in die toekoms. Die Internet kan die kind se beste vriend, of sy grootste vyand wees. Derhalwe is dit die verantwoordelikheid van ouers, voogde en die gemeenskap om kinders te beskerm teen die negatiewe aspekte van die Internet.

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1. DEFINITION OF CONCEPTS, HISTORICAL OVERVIEW AND PROBLEM STATEMENT

The Internet offers a contemporary avenue to paedophiles and other sex predators for enticing victims. Before the existence of the Internet, paedophiles had to find their victims in various places such as schools, parks, playgrounds, or the victim's home. However, technological advances provide a contemporary avenue for paedophiles and other sex predators to gain access to potential victims. More specifically, paedophiles no longer need to use traditional means of making contact with victims, as they can use the Internet to communicate with victims while remaining anonymous (Help stop paedophilia, n.d.). Modern technology in the form of the Internet has made communication between paedophiles and their victims easier than in the past. The Internet has turned out to be "the greatest single advancement in the history of paedophilia" (Gado, n.d.). It was estimated that approximately 20 to 60 million users worldwide had access to the Internet in 1998. It was estimated that more than three million South Africans were connected to the Internet in 2002 (CIA – The world factbook: Communications South Africa, n.d.). This figure is increasing annually at a rapid rate.

Before considering the extent of the problem in South Africa (SA), it is important to note that throughout the study concepts such as 'he', 'him' and 'his' will be referring to both male and female gender. Subsequently the concepts that are central to the research will be defined. The development of the Internet, and how it has influenced paedophilic activities, will also be discussed.

1.1 DEFINITION OF CONCEPTS

According to Mayes, Currie, Macleod, Gillies and Warden (1992:16), defining key concepts is important as it determines the ways in which certain acts are dealt with. Key concepts will be defined below to prevent misunderstanding, and to highlight how the concepts will be used in this study. These concepts must be clearly defined and operational definitions must be formulated in order to prevent uncertainty regarding the concepts. The following concepts will be defined: Internet, Internet service provider, modem, chat, chat room, electronic mail (e-mail), newsgroups, computer software, asymmetric digital subscriber line (ADSL), sexual conduct and sexual activities, adolescent, child pornography, paedophilia and hebephilia.

1.1.1 INTERNET

According to De Beer (1998:475) the Internet is an enormous network of small and large computer networks, which can be used by millions of people from practically anywhere in the world. Haupt (2001:21) elaborates on this definition by pointing out that the Internet is a global communications network of the twentieth century that has made it possible for people of all ages, cultures and orientations to communicate with one another via the computer. Nielsen (1995:165) also refers to the Internet as a name for the interconnected set of computer networks around the world. Casanova, Solursh, Solursh, Roy and Thigpen (2000:245) define the Internet as “a network of interconnected computers used primarily for commerce, communication, and information exchange”. According to Vaughan (1998:387) the Internet is not synonymous with the World Wide Web (www). The www is one of the latest and probably most popular services available on the Internet. E-mail, discussion groups, real-time chatting by text, voice, and video, as well as the ability to log onto remote computers are features of the www.

To gain a better understanding of the concept Internet, it is necessary to have an understanding of the following Internet-related concepts:

- **Internet Service Provider (ISP)**

In order to be connected to the Internet, the user will have to subscribe to the services of an Internet Service Provider (ISP). Generally this requires payment of a subscription fee. The user's computer connects to an ISP via a modem. This connection establishes access to the Internet (101 Web advice: What is Internet, n.d.).

- **Modem**

The term modem is an abbreviation for modulator/demodulator, and refers to an electronic device which converts an audio signal from a telephone to digital data that, in turn, is configured by the computer (Hyperdictionary, n.d.). According to Van Niekerk (1999:8) a modem refers to "an electronic device that connects to an Internet Service Provider (ISP) via a telephone line in order to gain access to the Internet".

- **Chat**

Chat is one of the communication tools for using the Internet as a means of information exchange. It can be defined as "live synchronised communication across the Internet" (Chat wise street wise – Children and Internet chat services, n.d.). Chat allows a group of users from all over the world to talk to each other simultaneously. This makes a text-orientated application possible where users type their remarks, and those remarks are shown to everyone in the chat room (Computer assisted communication and management: Definition of terms, n.d.).

- **Chat room**

A chat room can be defined as a virtual area on the Internet where two or more people can have a typed conversation. In a chat room the messages

typed are shown instantly to all members using the chat room (Internet for beginners, n.d.).

- **E-mail**

Electronic mail is abbreviated as e-mail. A mailbox at the user's ISP receives and stores electronic messages that can be downloaded once the user is connected to the Internet (101 Web advice: What is Internet, n.d.). Thus an e-mail program is a tool for sending and receiving messages (Computer assisted communication and management: Definitions and terms, n.d.).

- **Newsgroups**

Individuals who take part in a virtual discussion via the Internet are referred to as newsgroups or Internet discussion groups. These groups share a common interest regarding a specific topic, and read and send messages about the topic. One can become a member of a newsgroup simply by registering to this free service (Computer assisted communication and management: Definitions and terms, n.d.). Specific topics are discussed by making use of a message board where members can post messages for the entire group.

- **Computer software**

According to the Films and Publications Act (Act No. 65 of 1996) computer software refers to "a programme and associated data capable of generating a display on a computer monitor, television screen, liquid crystal display or similar medium that allows interactive use". Computer programmes such as Microsoft Windows, Microsoft Office, Adobe Acrobat Reader and WinZip are examples of computer software packages.

- **Asymmetric digital subscriber line (ADSL)**

Asymmetric digital subscriber line (ADSL) refers to contemporary technology that allows a huge amount of data to be sent over existing copper telephone lines. ADSL requires a special ADSL modem (Webopedia, 2002).

1.1.2 SEXUAL ACTIVITIES

Although some authors believe that a distinction should be made between sexual conduct and sexual activity, the concept sexual activities will be used in this study. Before providing an operational definition for the concept sexual activity, the definitions of sexual conduct and sexual activities will be given.

- **Sexual conduct**

The Films and Publications Act (Act No. 65 of 1996) of SA defines sexual conduct as stimulation or arousal of genitals, the display of genitals, masturbation, sexual intercourse, which includes anal sexual intercourse, the fondling, or touching with any object or fondling of genitals, the penetration of a vagina or anus with any object, oral genital contact, or oral anal contact.

- **Sexual activities**

It is stated in an Internet article (eMedicine - Instant access to the minds of medicine, n.d.) that sexual activities include both contact and non-contact activities. Contact activities include sexualised kissing, fondling, masturbation, and digital and/or object penetration of the vagina and/or anus, as well as oral-genital, genital-genital, and anal-genital contact. Non-contact activities include exhibitionism, inappropriate observation of a child (e.g. while the child is dressing), the production or viewing of pornography, or involving children in prostitution. These non-contact activities are especially relevant in the current study, because during the grooming phase the Internet paedophile may initially involve the child in non-contact activities to lure the child closer. The sexual activities are imposed on the child, and represent an abuse of the adult's power over the child.

- **Operational definition**

For the purpose of this research, sexual activities refer to any sexually related activity that may include stimulation or arousal of genitals, the display of genitals, masturbation or sexual intercourse. This may include anal sexual

intercourse, the fondling or touching of genitals, the penetration of a vagina or anus with any object, oral genital contact, or oral anal contact, sexual kissing, exhibitionism, improper observation of a child (e.g. gaining sexual gratification by watching a child undress), the production or viewing of pornography, or involving children in prostitution (Films and Publications Act [Act No. 65 of 1996]; eMedicine – Instant access to the minds of medicine, n.d.). These sexual activities thus include activities of both a contact and non-contact nature.

1.1.3 ADOLESCENT

According to Gouws and Kruger (1994:3) the term adolescent is derived from the Latin verb *adolescere* which means “to grow up” or “to grow to adulthood”. Adolescence thus refers to a developmental phase in the human life cycle that intervenes between childhood and adulthood (Bartollas, 1997:68). An adolescent is an individual who is in the developmental phase that occurs from puberty to maturity, lasting from approximately ages 12 years to 18 years (Alleydog.com: Psychology Glossary, n.d.).

For the purpose of this study, an adolescent is operationally defined as an individual who is in the developmental phase that occurs from puberty to maturity, and relates to the interval between childhood and adulthood, encompassing individuals between 12 and 18 years of age (Gouws & Kruger, 1994:3; Alleydog.com: Psychology Glossary, n.d.).

1.1.4 CHILD PORNOGRAPHY

According to Du Toit (2002:19), Interpol, an international police organisation, defines child pornography as the visual portrayal of a child that is engaged in sexual activity, whether it is real or simulated. It also refers to the exhibition of genitals that is intended for the sexual gratification of the user of such material. Furthermore it involves the production, distribution, and/or use of the abovementioned material. Limitations of this definition are however, that no

age is specified, and that visual depiction is not clearly defined. It is also not explicitly stated that computer-generated images are included.

Child pornography can also be defined as material depicting children under 18 years who are engaged in sexual activity (Just harmless fun? Understanding the impact of pornography, n.d.). Although this definition includes an age demarcation, it is insufficient for the purpose of this research, because it does not clearly outline the sexual activities that can be portrayed, and it does not include computer-generated images.

According to Maree and Van der Merwe, (1999:60) child pornography can be defined as:

explicit reproductions of sexual images of a child (in SA a person under the age of 18 years), who is engaged in, or who is portrayed as being engaged in sexual activities. These include sexually explicit photographs, negatives, slides, magazines, movies, videotapes, computer stiffies, computer floppies or Compact Disks (CD's).

Limitations of this definition are that computer-generated images, memory sticks and Digital Video Disks (DVD's) are not explicitly included, and the sexual activities that can be portrayed are not clearly outlined.

According to the Films and Publications Amendment Act (Act No. 34 of 1999) of SA, child pornography includes any image, whether it is real or simulated, that portrays a person who is under the age of 18 years, and who is engaging in sexual conduct or a display of genitals which amounts to sexual exploitation. It also includes participating in, or assisting another person to engage in sexual conduct, that amounts to sexual exploitation or degradation of children. What makes this definition so efficient is that it includes simulated images. Furthermore it is mentioned that a person who assists another person to engage in sexual conduct with a child will also be included as a perpetrator. However, the definition does not explicitly include distribution of pornographic material.

For the purpose of this study, child pornography is operationally defined as any image of a person under the age of 18 years, who is displaying his or her genitals, or who is shown as being engaged in sexual conduct, real or simulated. This involves the sexual exploitation or degradation of children, and includes any visual depiction that includes pictures, photographs, drawings, videos, movies, and computer-generated or electronic images. It involves the production, distribution, and/or use of such material. It also includes participating in, or assisting another person to engage in sexual conduct that culminates into the degradation or sexual exploitation of children (Du Toit, 2002:19; Films and Publications Amendment Act [Act No. 34 of 1999]).

1.1.5 PAEDOPHILIA

According to Finkelhor and Araji (1986:286) paedophilia can be described as an adult male's conscious sexual interest in pre-pubertal children. This definition can be criticised because it does not state that the condition must persist for a period of at least six months, and female perpetrators are not included as potential offenders. When taking into account that the onset of puberty differs, it is essential that an age demarcation is added when referring to pre-pubertal children. In addition, it fails to specify that the sexual urges, and/or activities must cause distress or impairment in an important area of the individual's day-to-day existence.

According to Bartol (1999:295) paedophilia can be classified as a condition where an adult experiences intense sexual urges, sexually arousing fantasies, or behaviours that involve sexual activities with a child that is younger than 13 years. Paedophilia is classified as abnormal behaviour, which results from a psychological disturbance. In order to be classified as paedophilia, the condition must be persistent in an individual over a period of at least six months. Although this definition states that the condition must persist for a period of at least six months, and provides an age demarcation for the child,

Bartol's definition fails to specify that the sexual urges, and or activities, must cause distress or impairment in important areas of the individual's day-to-day existence.

The *Diagnostic and Statistical Manual of Mental Disorders - DSM IV-TR* (American Psychiatric Association, 2000:572) contains the following diagnostic criteria to define paedophilia:

- Over a period of at least six months, recurrent, intense, sexually arousing fantasies, sexual urges or behaviours involving sexual activity with a prepubescent child or children (generally age 13 years of younger) should occur.
- The person has acted on these sexual urges, or the sexual urges or fantasies cause marked distress or interpersonal difficulty.
- The person is at least 16 years of age and at least five years older than the child or children. It does not include an individual in late adolescence involved in an ongoing sexual relationship with a 12- or 13-year-old.

For the purpose of this study, paedophilia is operationally defined as a condition where a person who is at least 16 years of age, and at least five years older than the child, experiences intense sexual urges, sexually arousing fantasies or behaviours that involve sexual activities with a child that is younger than 13 years. In order to be classified as paedophilia the condition must be persistent in an individual over a period of at least six months. The sexual urges, and/or sexual activities, must cause distress or impairment in important areas of the individual's day-to-day existence (Bartol, 1999:295; American Psychiatric Association, 2000:528).

1.1.6 HEBEPHILIA

The act of hebephilia will be included in the study because research in the field of paedophilia, especially paedophilic activities via the Internet, has identified adolescents as the most likely victims that are approached by sexual offenders via the Internet (Chat wise, street wise – Children and Internet chat services, n.d.). Children in this age group tend to engage more regularly in discussions on the Internet and surf the virtual online environment more frequently. Adolescents also have more skills to explore different websites. It is important to note that mainly girls, between the ages of 13 and 17 years are targeted via the Internet by sexual predators.

Hebephilia can be viewed as sexual conduct shown by adult males towards young adolescents (Bartol,1999:295). Although it is highlighted that young adolescents are the victims of hebephilic acts, this definition is limited, because it fails to specify the age group within which the young adolescents fall. Furthermore it does not include female perpetrators as potential offenders.

For the purpose of this study, hebephilia is operationally defined as sexual conduct by males and females (that are at least 16 years of age, and at least five years older than the adolescent) with adolescents between the ages of 13 and 17 years (Bartol, 1999:295; Chat wise, street wise – Children and Internet chat services, n.d.). The hebephile specifically targets children between these ages as he develops a distinct preference for secondary sexual development (e.g. breast development and pubic hair).

Although the concept hebephile has been developed to refer to a specific category of paedophile, it is not widely recognised. However, the concept paedophile is a widely recognised term and will therefore be used in this study to refer to any category of paedophile.

1.2 HISTORICAL OVERVIEW

To enable the reader to gain a better understanding of the Internet and its components, a historical overview of the development of the Internet, and the development of paedophilic activities via the Internet will be given.

1.2.1 HISTORY OF THE INTERNET

According to Meyer, Baber and Pfaffenberger (1999:79) the Internet originated from findings made at a corporation based in California. Originally this corporation wanted to create a computer network that could continue to function, even if a missile attack or nuclear strike disabled portions of the network. To accomplish this, researchers proposed that a packet-switching network offered the best chance of sustainability. This led to Lawrence G. Roberts and his co-workers developing specifications for the Advanced Research Projects Agency Network (ARPANET). They went on-line in September 1969, and connected four computers which they located in California and Utah. ARPANET access was initially restricted to universities, or research centres that had contracts with the United States Defence Department. In 1973, ARPANET became an international network. Although ARPANET's designers believed the network would be used to exchange research data, it soon became clear that the network was more of a communications medium than a research medium. Robert Kahn and Vincent Cerf addressed the network's shortcomings by creating the Internet protocols that are currently in use throughout the world. On 1 January 1983 the protocols they developed went online for the first time.

During 1982, regulation of ARPANET was passed to the United States National Science Foundation (NSF). The NSF helped the United States of America (USA) with the transition from ARPANET to the Internet as we know it today (The Internet: A short history of getting connected, 2004). The NSF financed the construction of a new long distance data transmission network

called NSFnet. Collectively the NSFnet and the various regional networks connected and eventually became known as the Internet. The www was developed in 1989. According to Van Niekerk (1999:20), the www refers to “an abstract space of knowledge, while the Internet refers to the physical side of the global network, a giant mass of cables and computers”. The first graphical web browser was developed in 1994. This transformed the Internet into something more than a communication and file exchange network. It became a medium for discovering and exploring information that every individual with access to the Internet could benefit from. According to De Beer (1998:475) the first South African connection was to the Council for Scientific and Industrial Research (CSIR), and soon after that, the University of Cape Town followed suit.

In 1995, barriers to commercial activity on the Internet were eliminated. Commercialisation of the Internet led directly to privatisation of the Internet in April 1995. Today the Internet is a vast information space, made up of millions of privately owned computers and networks, all of which share resources on the networks. According to Van Niekerk (1999:5), the word Internet literally means “network of networks”. The Internet is comprised of thousands of smaller regional networks linked through servers. These servers transmit data through direct lines or telephone lines and modems. Normally direct lines refer to “high-speed telecommunication lines that transfer data between buildings or organisations”. Standard telephone lines or special digital lines namely the Integrated Services Digital Network (ISDN) connect individuals. ISDN connections are approximately four times faster than a modem connection.

During the mid 1990s, the Internet included connections to more than 60 countries, and more than 2 million host computers, with more than 15 million users worldwide (Vaughan, 1998:375). According to Casanova *et al.* (2000:247) the expansion of the Internet can be ascribed to relatively easy access to information, along with the ease of purchasing just about anything from a home computer, as well as the added advantage of global communication. In 2003 the Internet already had 580 million users worldwide

(Parry, 2003). Statistics show that a growth of 423,9 % was shown between 2000 and 2005 with regards to Internet users in Africa (World Internet usage and population stats, n.d.).

1.2.2 HISTORY OF THE DEVELOPMENT OF PAEDOPHILIC ACTIVITIES VIA THE INTERNET

Traditionally paedophiles had to visit sex clubs, or rely on newspaper advertisements and prison contacts when they wanted to interact with other paedophiles. They had to find their victims in game centres, shopping malls, streets, parks and school playgrounds in order to exploit them. Although some paedophiles still find their victims by means of the traditional methods, they increasingly prefer the anonymous nature of the Internet with which to lure their victims (Gado, n.d.).

It was stated in an Internet article (Child sex offenders on the Internet, n.d.) that 1997 can be seen as the year in which the crime of child sexual exploitation in the USA changed dramatically. The changes can be attributed to the Internet affording paedophiles relatively effortless access to unsuspecting victims. Gado (n.d.) points out that interaction between paedophiles has been facilitated by modern technology, in the form of the Internet. The Internet provides the paedophile with unique opportunities: paedophiles cannot prowl in schools or playgrounds for an unlimited period without arousing suspicion, but they can remain in chat rooms indefinitely and with impunity. Since the Internet's worldwide connectivity was established in the mid 1990's, one can assume that the onset of Internet paedophilia in SA was also in the mid 1990's.

1.3 STATEMENT OF THE PROBLEM

One out of every six boys in the USA will be abused by a paedophile before the age of 16, and one in four girls are at risk of being molested before age 14, increasing to one in three by the age of 18 (Help stop pedophilia, n.d.).

Between 5% and 10% of the American male population will engage in paedophilic acts during their lifetime. This may include single incidents, or may refer to ongoing sexual relationships involving children. Furthermore it is indicated that 28% of the female respondents who participated in the study were victims of paedophilia before the age of 14. Considering that a large dark figure (unreported crime) exists for this crime, it can be speculated that the sexual abuse of children is rampant (Bartol, 2002:295).

After democratisation, the South African government embarked on a long-term strategy to curb the high rate of crime in the country. The formulated strategy is known as the National Crime Prevention Strategy (NCPS) of 1996. In the NCPS (Inter-departmental strategy team, 1996) crimes against children were identified as one of the priority crimes in SA. When looking at statistics, it becomes clear why crimes against children were identified as such. According to Scott (2001:9), SA statistics show that one in every three girls, and one in every five boys, will be sexually molested before the age of 13. In conjunction with this, Scott indicates that in SA a child is molested every eight minutes and a child is raped every 24 minutes.

According to Haupt (2001:21), the Internet allows individuals to make contact with other individuals, without revealing personal details or information. This means that the user can choose to remain anonymous. Although the Internet has numerous advantages, the anonymity with which it can be used could cause certain problems of which the most important is that it is extremely difficult to determine who is gaining access to an individual's personal information via the Internet. Thus, it becomes an ideal avenue for paedophiles to gain access to information about children, and to use this information in the process of getting close to them, and ultimately, to abuse them.

A further matter of concern is that adolescents might access pornography by accident while "surfing on the Internet" (Chat wise, street wise - Children and Internet chat services, n.d.). This offers an additional avenue to paedophiles for making contact with potential victims. Sexual offenders frequently use pornography to facilitate the process of drawing children into a paedophilic

network. When compared to adults, children are not mature, and lack discernment. This often leads to the scenario where children have to deal with explicit pornography that is beyond their psychological and emotional development stage. When the child has to deal with experiences before they are emotionally ready for it, they struggle to process the stimuli cognitively and emotionally. This leads to them blocking out the experience in their subconscious. If children experience something beyond their understanding, especially something traumatic, it can hamper their moral and mental development (Just harmless fun? Understanding the impact of pornography, n.d.).

Du Toit (1998:10) elaborates on this by adding that scientific proof for a correlation between pornography and the sexual abuse of children does exist. The actual sexual arousal by pornography leads to distorted thinking and reinforces deviant sexual ideas and behaviour. The viewing of pornography reinforces sexual arousal and can lead to an orgasm, while viewing defiant sexual practices (Conradie, 2001). According to Wyre (1992:240) “pornography certainly reinforces and can also create the predisposition to carry out abuse. It feeds the fantasy, and it creates distorted thinking”.

It was stated in an Internet article (Chat wise, street wise - Children and Internet chat services, n.d) that the Internet Relay Chat Subgroup (IRC) found that 29% of the 2000 children they interviewed in the USA, expressed their willingness to disclose their home address on the Internet, while 14% were willing to share their e-mail address. This highlights the possibility that children may be at risk when they use the Internet. This is especially true if one considers the fact that their parents falsely believe they are safe while using the Internet. The survey also revealed that 2% of the respondents were asked to meet the paedophile personally. A significant number of respondents (65%) were targeted in chat rooms. In the age group 14 to 17 years, 75% of the teenagers use the Internet. In the age group 10 to 13 years, 65% use the Internet. An estimated 18,8 million children under 18 years have access to home computers in the USA. It is estimated that adolescents use the Internet

at an average of 8,5 hours per week for chatting and e-mailing, and only 1,8 hours for schoolwork. Sixty three percent of children between 9 and 17 years, who have access to the Internet, prefer using it, to watching television. Currently more than 10 000 paedophile websites (where paedophiles interact and exchange child pornography) exist on the Internet (Hughes, n.d.). In SA it is believed that 55% of all children prefer working on the Internet to talking on the telephone (Safeguarding children on the Internet, n.d.). If one considers the fact that 3,068 million South Africans were connected to the Internet during 2002, paedophilic activities via the Internet might be a problem of similar magnitude in South Africa as in other countries around the world (CIA – The world factbook: Communications South Africa, n.d.).

According to the San Diego Police Department (Hughes, n.d.) in the USA, online sexual solicitation as such is growing at a rate of 1 000% per month. Two in five abductions of adolescents between the ages 15 to 17 years occur as a result of interaction via the Internet. This includes interaction via chat rooms, newsgroups, e-mails or discussion groups. One in five children received sexual solicitations from paedophiles on the Internet. One in 33 of the children were asked to meet with the paedophile in person. Instances occurred where the paedophile phoned the child, exchanged letters, sent money, and/or gifts to the child. It was found that 25% of the children who received some form of sexual solicitation, told a parent. However, less than 10% of the children, who were exposed to unwanted pornography or sexual solicitations, reported the incident to a parent or the authorities (Hughes, n.d.). Another Internet article (Chat wise, street wise - Children and Internet chat services, n.d.) shows that the familiar, safe and protected home environment provides a false sense of security, which may lead to the child communicating more openly than they usually do, or entering into a relationship, which is more intimate than they would normally feel at ease with.

1.3.1 PROBLEMS REGARDING CURRENT STUDIES AND THE NEED FOR RESEARCH CONDUCTED WITHIN A METHODOLOGICAL PARADIGM

Research that is not conducted within a methodological paradigm has limited application value for researchers, academics and professionals dealing with the sexual abuse of children. Various magazine articles regarding Internet paedophilia have been published. According to Bezuidenhout (1994:43) authors of popular magazine articles normally do not have a scientific background, and lack the expertise to conduct a scientific study. This gives rise to the expressing of opinions that are biased, and that have little or no scientific value. As a result, a dearth of scientific knowledge regarding the Internet as a contemporary avenue for paedophilic activities, exists.

Statistics on paedophilic activities as such are not available, due to the fact that these statistics are included in the broad categories of indecent assault and rape (South African Police Service, Department for Safety and Security, 2005). An additional matter of concern is that no distinction is being made between traditional paedophilia, and paedophilic activities via the Internet. Thus, statistics on the prevalence of Internet paedophilia cannot be obtained.

Attempts to locate resources regarding paedophilic activities via the Internet show that limited research regarding the topic has been conducted in SA. Increasingly more research has been undertaken on the sexual abuse of children after crimes against children became a priority crime in SA. It is however clear that research regarding certain aspects of child abuse, for instance Internet paedophilia, is still lacking. This necessitates scientific research in this regard.

1.3.2 PAEDOPHILIC ACTIVITIES VIA THE INTERNET

The way the Internet can be utilised for paedophilic acts, and how these acts are performed via the Internet, will subsequently be discussed.

1.3.2.1 *Modus operandi* of a paedophile that utilises the Internet

Paedophiles visit the virtual online environment, because children spend a lot of time on the Internet (Just harmless fun? Understanding the impact of pornography, n.d.). The Internet can be seen as the paedophile's playground, because it provides anonymity, chat rooms, newsgroups, and e-mailing opportunities that can be utilised to exchange information and child pornography, and to interact with children. For example, sexual predators specifically set up computer bulletin boards to seduce children. Paedophiles will use games to attract children to these bulletin boards, and will gradually establish online relationships with them. Thereafter, they may arrange to meet the child face-to-face (Just harmless fun? Understanding the impact of pornography, n.d.).

Furthermore paedophiles use the Internet to:

share trade secrets, in other words how to change identities, forge passports, and smuggle children. Paedophiles use the Internet for virtual validation of their activities within their circles of fellow paedophiles, in order to feel accepted, and to ensure that their sexual interest in children can be considered normal (Just harmless fun? Understanding the impact of pornography, n.d.).

In addition, the Internet can be used by paedophiles to contact children with the aim of establishing a sexual relationship with the specific child in the real world. In some cases these activities may involve the use of a false identity, in particular pretending to be a child (Safeguarding children on the Internet, n.d.).

Sooner or later children have access to the Internet, either at home, school, the local library, an Internet café, or via a friend's computer (Haupt, 2001:21).

It is thus important that children and parents know that interacting with a stranger on the Internet is as potentially dangerous as talking to a stranger on the street. In the Seattle Times it was reported that by 1998, over 1 500 suspected paedophiles in 32 states were identified through various chat rooms on the USA's most popular Internet service (Gado, n.d.). A possible consequence of an online contact can involve the luring of a child into meeting with a paedophile, which in turn can lead to molestation.

In an Internet article (Chat wise, street wise - Children and Internet chat services, n.d.) it is highlighted that the following risks may form part of the luring process of a child by a paedophile:

- Children may be exposed to inappropriate conversation.
- Paedophiles could send children obscene or indecent photographs or images.
- Paedophiles could ask children to send indecent images of themselves, and/or their friends.
- Children might be encouraged to become engaged in explicit sexual talk, and/or to perform sexual acts while alone, and/or with their friends (so-called cybersex).

The above-mentioned refers to non-contact activities (as discussed in section 1.1.2) that are used by the Internet paedophile during the grooming process, and that may form part of the luring of a child.

1.3.2.2 Possible explanations for paedophilic activities via the Internet

Law enforcement can be successful in combating particular kinds of paedophilia, especially if they could be classified within the few known categories of paedophilia. Paedophiles realise this, and respond to these factors by becoming more sophisticated in their *modus operandi* (Childnet International, 2006). Traditional ways of luring possible victims, place the

paedophile at risk of being apprehended, while the Internet provides the opportunity of anonymous luring that is difficult to detect.

In this day and age the paedophile has various opportunities that were not available prior to the development of the Internet. The Internet provides the paedophile with the following opportunities (Mahoney & Faulkner, 1997):

- Instant access to other paedophiles worldwide.
- Discussion of their sexual desires with other paedophiles and victims via chat rooms, newsgroups and e-mail discussion groups.
- The sharing of ideas regarding new ways to lure victims.
- Mutual support between paedophiles.
- Instant access to potential child victims worldwide.
- Disguised identities for approaching children.
- Access to teen chat rooms to find out how, and who to target as a potential victim.
- Means to identify and track down home contact information of the possible victim.
- Ability to build a long term Internet relationship with a potential victim, prior to attempting physical contact with the child.

The risk of children being approached by paedophiles via the Internet is difficult to establish. A growth in criminal activity of this nature has however, been identified. The available evidence, namely the likelihood of paedophilic contact on the Internet and the potential harm that can be suffered by children, highlights the importance of recommendations regarding preventative strategies to protect children (Chat wise, street wise – Children and Internet chat services, n.d.).

1.3.2.3 Pornography and the Internet

Haupt (2001:21) insists that one of the most contentious concerns arising from the use of the Internet has been the availability and the accessibility of pornography sites. Research undertaken in the USA during January 2002 (Hughes, n.d.) indicates that 90% of children between the ages of 8 and 16 years have viewed pornography online. These viewings predominantly occurred unintentionally, while using the Internet to do homework. During the study it was found that in the age group 15 to 17 years, 70% of the adolescents viewed pornography unintentionally. When being asked about their reaction, it was found that 55% were not upset at all, while 45% were very, or somewhat upset. In addition, it was found that 59% of the adolescents were of the opinion that viewing pornography on the Internet influences teenagers to have sexual intercourse before they are emotionally ready for it.

The trade in pornography is becoming more prevalent owing to the relative ease with which an individual can publish any material, including pornography, on the Internet. The Internet serves as a sophisticated technological system, which makes it difficult for law enforcement agencies to trace pornography on it. Every computer has an Internet Protocol (IP) address that is transformed to decimal numbers and separated by dots, for example 137.215.55.53. An IP address works like a phone number and can be traced (Hardy, n.d.). However, shared IP addresses as well as dial-up access with dynamically assigned IP addresses are problematic, as it may not always be possible to identify an individual machine with certainty (Chat wise, street wise – Children and Internet chat services, n.d.). The ability of paedophiles to encrypt photographs, or put them in a code that can only be translated with special software, leads to a scenario where law enforcement agencies are not equipped to find such pornography (Sexual exploitation of children, n.d.). Easy access to computer networks allows individuals to publish almost anything anonymously.

It is difficult to determine where the liability for the distribution of pornography on the Internet lies. Jurisdiction over digital distribution of pornography also poses problems as legal responsibility is contentious, and the material is often distributed by phantom operators. It is, for example, possible to store material on computers in the Netherlands, while the business is based in the USA (Du Toit, 2002:22). No law currently protects children from adult pornography on the Internet, especially since anyone can provide pornography to children via the Internet, without legal consequences. It needs to be pointed out that children have easy access to pornography and other material, which is unacceptable for children at their developmental phase (Just harmless fun? Understanding the impact of pornography, n.d.).

1.3.2.4 Child pornography and the Internet

According to Geiser (quoted in Theron, 1992:50), child pornography depicts

a frightening range of perversions for instance, parents having sex with their children, adults having vaginal, oral and anal sex with children, children having sex with other children, children being raped, children that are tortured or beaten, as well as children that are masturbating or copulating with animals (bestiality).

On 18 January 2002 over 100 000 child pornography websites existed on the Internet (Hughes, n.d.). These sites are mostly created and shared by newsgroups that have a specific interest in child pornography and sexual activities (Du Toit, 2002:21). Joining a newsgroup is free of charge and one becomes a member simply by registering. It is estimated that worldwide a 345% increase in child pornography sites on the Internet occurred between February 2001 and July 2001. Hughes also claims that child pornography sites are established at a rate of eight sites per day (Hughes, n.d.).

According to Kelly (1992:116) child pornography cannot be produced legally. In most cases the victim of child pornography is sexually abused and forced to pose for the photographer. In cases where children have consented to the sexual deed, sexual abuse is still taking place, as the child does not have the

intellectual, psychological and emotional capacity to comprehend the exploitative nature of the deeds. As a result, they are being exploited without their knowledge and are usually not informed about the true nature and reasons for the activities. Child pornography can therefore be seen to include documents containing data or pictures of the sexual abuse of a child.

Carstens (2001:5) postulates that explicit sexual photos of children are used by paedophiles in order to gradually break children's resistance down before indecently assaulting or molesting them. Generally, most paedophiles have child pornography on their computers at home. In this regard, it was found that "87% of all paedophiles who molested girls, and 77% of those who molested boys, used pornography as a so-called handbook for their crimes" (The Films and Publications Bill of South Africa, Second Reading Debate, 1996). Paedophiles use pornography to condition and persuade their victims to engage in sexual acts (Lanning, 1984:86). Pornography can stimulate certain paedophiles to such an extent that they rape or sexually molest their victims (Wyre, 1992:237). In many other cases pornography can be a contributing factor to other sexual offences. Furthermore, 80% of all sex offenders used pornography before a sexual activity with a minor, or had it in their possession at the time of their arrest (The Films and Publications Bill of South Africa, Second Reading Debate, 1996).

Internet related child exploitation is a contemporary phenomenon, which is the result of the resurgence of child pornography in the new millennium. Law enforcement is problematic, because of the many available websites and because paedophiles encrypt photographs by using coding that can only be deciphered by means of special software or a particular password. In other words, if one does not have access to the software, or do not possess the password, one will not be able to view the photograph. The photograph might even be presented as an innocuous image, for example as a picture of a dog. Once the image is deciphered, a picture containing child pornography might appear (Sexual exploitation, n.d.).

Technological advances have facilitated the production and distribution of child pornography. The availability of home video cameras and the potential for global transmission via the Internet enables the producers to distribute child pornography worldwide and the receivers to download the material on home computers (Haupt, 2001:21). In some cases computer literate paedophiles set up their computers as file servers, which enables other paedophiles to upload or copy the child pornography files from the server (Innocence in danger, n.d.).

The harm inflicted on children as a result of child pornography is multiple. Children are harmed by the production of the explicit sexual material, as well as by paedophiles who use such material in order to excite children, and to convince potential victims that sexual conduct between children and adults is acceptable (Kelly, 1992:119). Children who are featured in child pornography are often forced to smile in order to show that they are having fun (Chat wise, street wise – Children and Internet chat services, n.d.). The visual depiction of a child in a pornographic scenario causes a feeling of guilt and shame in the child, who may also fear that family or friends will discover the exploitation. In addition, the child may be afraid of reporting the abuse and testifying against the abuser in court.

When considering all of the above, it is evident that to combat paedophilia effectively, knowledge regarding the ways used by paedophiles to pursue their victims is essential. In this respect, parents, guardians and children need to be educated regarding the potential dangers children may face while using the Internet.

1.4 PROBLEMS ASSOCIATED WITH EXISTING PREVENTATIVE MEASURES FOR CURBING THE USE OF THE INTERNET FOR SEXUAL ACTIVITIES WITH ADOLESCENTS

Subsequently problems associated with formulating legislation to curb the use of the Internet for sexual activities with children will be discussed. Filtering and blocking software will also be highlighted.

1.4.1 Current legislation

It was stated in an Internet article (Akdeniz, 1997) that “the Internet is not a lawless place, rather the Internet poses a fundamental challenge for effective leadership and governance”. Because cases of Internet paedophilia entail so many technical aspects and require specially trained investigators, special problems are also posed for police investigation (Gado, n.d.). Advanced encryption techniques used by transgressors often necessitate the utilisation of consultants in specialist companies to crack special passwords to access material. This can be a labour-intensive and time-consuming task as illustrated by the investigation into the Wonderland Club case, which took the consultants 14 months to complete (How police smashed child porn club, 2001).

Haupt (2001:23) states that prohibition of indecencies on the Internet is a complex phenomenon especially with regards to issues related to the rights of the adult Internet user, the question surrounding what constitutes pornography in the global society as well as censorship and freedom of speech.

1.4.2 Current filtering and blocking software

Filtering software can either be installed on a user’s home computer, or on a server at his or her ISP (Getnetwise: About Kid’s Safety, n.d.). According to Maree and Van der Merwe (1999:63), software programmes such as Cyber

Control, Net Nanny and Surf Watch can be installed on any computer. Most of these programmes block predetermined sites as soon as the program is activated. The software can also screen other sites that are unfit for minors to access. Parents can block sites by identifying certain keywords and content preferences. Furthermore, many online safety tools place restrictions on Internet usage in order to promote child safety. Although this function can be seen as a preventative measure, online safety tools can restrict some of the Internet's key functions. By blocking certain keywords and content preferences, online information can become content poor and restrict a person in accessing valuable information for acceptable purposes such as school assignments (Getnetwise: About Kid's Safety, n.d.).

Although filtering software can identify inappropriate websites, sites with deceptive addresses can be missed. Software tools that analyse and filter while the user is online, usually slow down browsing on the Internet. In addition, many of these filters do not apply the same kinds of analysis to other forms of communication, such as e-mail or chat rooms, which are the forms of communication likely to lead to a face-to-face meeting, and potentially to sexual exploitation (Getnetwise: About Kid's Safety, n.d.).

1.5 THE AIMS OF THE STUDY

Based on the presenting problems with regards to paedophilic activities via the Internet, as well as problems associated with preventative measures for curbing the use of the Internet for sexual activities, the researcher was able to formulate the aims of the study. The aims of the study are to determine

- (i) the methods utilised by sexual offenders to make contact with adolescents via the Internet;
- (ii) what existing preventative measures exist for curbing or preventing the use of the Internet for sexual activities with adolescents;
- (iii) the views of experts with regard to the effectiveness of current legislation for curbing or preventing Internet sexual activities with adolescents;

- (iv) the views of experts with regards to the effectiveness of current filtering and blocking software used to prevent Internet sexual activities with adolescents; and
- (v) to what extent measures are taken to make parents and/or caregivers and children more aware of the dangers the Internet poses for their adolescent children.

1.6 DEMARCATION OF CHAPTERS

In order to achieve the above-mentioned aims, the following demarcation will be used in the study: In Chapter 2 a discussion of completed research and literature will be given. The literature survey will be used to indicate why and how paedophiles use the Internet as a contemporary avenue for paedophilic activities. Subsequently, applicable legislation, as well as filtering and blocking software will be discussed. In Chapter 3 the focus will be on the research design. In Chapter 4 an overview will be given of the data that was collected. An interpretation of the data that was collected, as well as the extent to which the objectives were achieved will be discussed in Chapter 5. In addition recommendations for the restricting of Internet sexual activities with adolescents, recommendations for further research, as well as an exposition of the value of the study will be formulated in Chapter 5.

1.7 CONCLUSION

In Chapter 1 key concepts were defined operationally. This is essential, as no study can be conducted without clarifying key concepts. In addition, a historical overview of the development of the Internet, as well as the development of paedophilic activities via the Internet was given. It is important to determine where a phenomenon originated, as it enlightens the reader and provides insight into the topic being discussed. Furthermore, a statement of the problem was formulated in order to highlight the key issues that necessitate research and to formulate the aims for the study.

2. REVIEW OF APPLICABLE LITERATURE AND CURRENT LEGISLATION

Despite the dearth of literature available, the aim of this chapter is to give an exposition of applicable and relevant literature with regard to the typology of paedophilia, as well as possible explanations for the prevalence of paedophilia. Furthermore a discussion of paedophilic activities via the Internet, as well as preventative measures to curb the exploitation of adolescents via the Internet will be provided.

2.1 TYPOLOGY OF PAEDOPHILES

Various classifications and typologies of paedophiles can be found in the literature. However, most of these other typologies include both situational and preferential paedophiles (Benschop, 2003). This is not applicable to the study as the researcher is of the opinion that the Internet paedophile is normally a preferential paedophile that is predominantly attracted to children, and has a need for frequent contact with children. On the other hand the situational paedophile normally uses children temporarily as a result of a stressful situation in his life or as part of a general pattern of abuse of people (Labuschagne, 2006). When taking into account that the Internet paedophile goes to great lengths to groom potential victims and lure them into a possible meeting, it is unlikely that he only views children as a temporary stress alleviation. Based on various typologies and the general clinical literature, the four types of paedophiles, namely fixated (immature), regressed, exploitative and aggressive (sadistic) seem to be the most applicable typology for the categorising of paedophiles (Incestuous and non incestuous offender, n.d.; Looman, Gauthier & Boer, 2001:754).

2.1.1 FIXATED (IMMATURE) PAEDOPHILES

Fixated paedophiles have the following characteristics:

- They have an exclusive preference for children, both as sexual and social companions.
- They usually lack mature relationships with adult peers (male or female).
- They are usually socially immature, passive, timid and dependent.
- They feel comfortable relating to children, therefore they seek children as companions.
- Normally sexual contact will occur after the adult and child have become acquainted.
- They usually touch, fondle and caress the child.
- They rarely expect genital intercourse, and rarely use physical force or aggression.
- They rarely marry, and their social background lacks long-term relationships with adults.
- They usually have an average intelligence.
- They normally have a steady work history.
- They possess adequate social skills for day-to-day functioning.
- They are usually not disturbed or concerned about their exclusive preference for children (nor can they grasp why others are concerned).
- They are difficult to reform and tend to recidivate.

According to Mayes, Currie, Macleod, Gillies and Warden (1992:205) fixated paedophiles molest large numbers of children. In addition, they may use adult pornography to lower children's inhibitions. Fixated paedophiles tend to use child pornography, share information with other paedophiles, and normally live alone, or with their parents. Their inability to maintain successful adult relationships leads to the exploring of sexual activities with pre-pubescent children. As soon as they realise that they can maintain a sexual relationship with a child, they experience a sense of fulfilment that motivates them to continue with their paedophilic acts (Gado, n.d.).

2.1.2 REGRESSED PAEDOPHILES

Regressed paedophiles are normally characterised by the following:

- As adolescents they had good peer relationships and heterosexual experiences.
- As they mature, they develop feelings of masculine inadequacy and self-doubt.
- Subsequent problems regarding their occupational, social and sexual life usually emerge.
- They have a history of alcohol abuse, are usually divorced and maintain a poor employment record.
- They prefer female victims who are strangers.
- They seek genital sex in most cases.
- They usually feel remorseful and will express disbelief after the act.
- If stressful events in their daily routine are minimised, they respond positively to rehabilitation.

2.1.3 EXPLOITATIVE PAEDOPHILES

Exploitative paedophiles normally have the following characteristics:

- They primarily prefer children for the satisfaction of their sexual needs.
- They exploit the child's weaknesses (for example poor self esteem).
- They are normally unknown to the child. They try to isolate the child from others and from familiar surroundings.
- They might use aggression and physical force.
- They do not care about the emotional or physical well-being of the child.
- They perceive the child as a sexual object.
- They have a long history of criminal or anti-social conduct.
- They have unpredictable and stormy relationships with their peers.
- They are usually impulsive, irritable and moody.
- They usually have defective interpersonal skills.
- They respond poorly to rehabilitation.

2.1.4 AGGRESSIVE (SADISTIC) PAEDOPHILES

Aggressive (sadistic) paedophiles usually manifest with the following:

- They are drawn to children for both sexual and aggressive reasons.
- They have a long history of anti-social behaviour.
- They find it problematic to adapt to their environments.
- They prefer victims of the same sex (homosexual paedophilia).
- They assault their victims viciously and sadistically – the more harm and pain inflicted, the more sexually excited they become.
- They are responsible for most abductions and murders of children.
- They are a threat to children and are the most difficult to rehabilitate of all the types.

With a better understanding regarding the different types of paedophiles, the researcher will now discuss common characteristics that usually manifest in the majority of paedophiles.

2.2 COMMON CHARACTERISTICS OF PAEDOPHILES

Looman *et al.* (2001:754) and Howitt (1995:134) states that although the different types of paedophiles display certain characteristics that are typical of these various types, the following characteristics are shared among most paedophiles:

- They do not have fulfilling adult relationships.
- They come from unstable home environments.
- They have defective social skills.
- They identify with younger children.
- They have an unstable work history.
- They tend to come from a low socio-economic background.
- They usually fail in high school.
- They are emotionally lonely.
- They lack empathy towards the victim.
- They are emotionally immature.

- They have a low self-esteem.
- They tend to have an exaggerated need to feel in control, and have a fear of being controlled.
- They are manipulative.
- They tend to abuse substances, for instance alcohol.
- They are promiscuous and portray sexually deviant behaviour.
- They usually have experienced emotional, physical or sexual abuse, or they have been neglected during childhood.
- They have sexual fantasies about children.
- Their sexual offences are motivated by a need for recognition, approval and power.

Thus, it can be deduced that most paedophiles resort to relationships with children, as they do not have fulfilling adult relationships, and can relate to children more effectively. As a rule, paedophiles have defective social skills, and identify with children, better than they do with their peers. Because of their defective social skills, they tend to live secluded lives. These individuals tend to have a low self-esteem, and are normally emotionally immature. When considering that many paedophiles were victims of abuse themselves, they tend to have an exaggerated need to feel in control, and have a fear of being controlled. Children are targeted because they can easily be controlled and/or manipulated.

2.3 POSSIBLE EXPLANATIONS FOR THE PREVALENCE OF PAEDOPHILIA

A few theories regarding the prevalence of paedophilia will be discussed. First of all an exposition of the four-factor model that is discussed in Finkelhor and Araji (1986:145) will be given. This model is included as it is useful in providing explanations for paedophilic behaviour. An exposition of the gratification approach of Blumler and Katz, which is an information technology theory, will be given. The purpose of the inclusion of the gratification approach is to indicate why the Internet can become a preferred medium utilised by paedophiles.

2.3.1 THE FOUR FACTOR MODEL

The four factor model that is discussed in Finkelhor and Araji (1986:145) includes the emotional congruence theory, the sexual arousal theory, the blockage theory and the disinhibition theory.

2.3.1.1 The emotional congruence theory

Finkelhor and Araji (1986:149) state that the emotional congruence theory attempts to explain why an adult would find it emotionally satisfying to relate sexually to a child. It is called the emotional congruence theory, because it proposes that there might be a connection between the adult's emotional needs and the child's characteristics. Some paedophiles view themselves as children who are dependant and have childish needs. These individuals feel more comfortable with children, as the interaction with children provides a sense of mastery and control in their lives. The relationship with children helps the paedophile to overcome a sense of shame, humiliation, or powerlessness that he had experienced as a child. This process can also be referred to as "identification with the aggressor".

According to Groth, Hobson and Gary (1982:138) one way in which paedophiles may try to eliminate the feelings of powerlessness that they experienced when they were victims, is to identify with the aggressor and reverse roles. Thus, the paedophile becomes the powerful victimiser, rather than the helpless victim. They then re-enact in their offences the characteristics of their own victimisation in an attempt to restore a feeling of being in control.

According to Cook and Howells (1981:60) emotional deprivation or over-protection during childhood can result in the scenario where paedophiles remain in love with the child that they were. Paedophiles then project this love onto other children of a similar age. These children then become love objects for them. According to Finkelhor and Araji (1986:149) men are socialised into believing males must be dominant and powerful. This involves the belief that

men must be the initiator of intimacy in sexual relationships. Men therefore prefer to have partners who are younger, smaller and weaker than they are. Children fit these requirements perfectly. They fit the demands and expectations of these men better than any adult women would.

The emotional congruence theory can be linked to the fixated or immature child molester, which refers to the first type of paedophilic pattern. These types of paedophiles fail to develop a mature relationship with adult peers and they demonstrate an exclusive preference for children as both sexual and social companions.

2.3.1.2 Sexual arousal theory

Finkelhor and Araj (1986:149) state that certain features of children sexually arouse paedophiles. Sexual arousal includes a physiological response to the presence of children, or to fantasies of children engaging in sexual activities. According to Bartol and Bartol (2005:408), paedophiles become sexually aroused to certain features of children that do not generate sexual arousal in normal males. This can be attributed to childhood sexual play that was more vivid, satisfying, thought-provoking, stimulating and arousing than adult sexual play. The fact that most paedophiles lack social skills, might be the reason for limited adult sexual contacts. This mostly leads to the paedophile using masturbation in order to gain sexual gratification. During masturbation the paedophile might focus on satisfying sexual encounters during childhood. Normally masturbation would be viewed as an outlet for sexual tension, but in these instances it becomes an act that reinforces attraction to childhood sexual play and children as such. This leads to a link between sexual arousal and children, where children become sexual stimuli which give rise to high levels of sexual excitement.

According to Sgroi (1982:2) paedophilia is not a sexual act, but has been redefined as a crime of control and domination. There are various non-sexual, motivational components attributing to paedophilia. All sexual behaviour

consists of both sexual and non-sexual components. Finkelhor and Araji (1986:151) disagrees and are of the opinion that paedophilia involves sexually motivated behaviour. According to them, many paedophiles have erotic feelings about the children they molest, for example their smooth skin, hairless bodies, and their small statures. To enable the reader to understand the process of acquiring these feelings, a discussion thereof will follow.

According to Cook and Howells (1981:67) evidence of high numbers of childhood sexual victimisation in the backgrounds of paedophiles has been found in literature. An important aspect of being a victim, is that by having been sexually molested, the individual was conditioned to believe that having sexual interaction with a child is acceptable behaviour. Thus, the victim had a role model who used children for sexual stimulation (Cook & Howells, 1981:67).

Exposure to child pornography can serve as a form of social learning, especially to individuals who have not had any previous sexual attraction to children (Finkelhor & Araji, 1986:153). In some types of pornography, sex with children is combined with sex between adults. When these individuals masturbate to pornography portraying children as well, they sometimes become aroused to both the adults and children portrayed in the pornography.

2.3.1.3 Blockage theory

Supporters of the blockage theory postulate that paedophilia is the result of a blockage in normal sexual and emotional gratification gained through adult relationships. As normal social and sexual relationships with adult women cannot be obtained, the paedophile feels frustrated, which motivates him to seek the company of children (Finkelhor & Araji, 1986:153). The following characteristics of paedophiles indicate the relevance of the blockage theory (Howitt, 1995:134):

- Some paedophiles find it difficult to relate to adult females.
- Some paedophiles have deficient social skills.

- Some paedophiles experience anxiety with regards to sexual matters.

According to Finkelhor and Araji (1986:153) two types of blockages can be identified, namely developmental blockages and situational blockages. Developmental blockages are based on psycho-analytical theories, which propose that some individuals are prevented from moving into the adult heterosexual stage of development, which means that they do not have adult heterosexual interests. Situational blockages refer to instances where a person with adult sexual interests is blocked from normal sexual activities, because of the absence of an adult relationship. For instance, when a male paedophile experiences marital problems, he may use his daughter as a substitute (Bartol & Bartol, 2005:409).

The blockage theory can be applied to explain the actions of the regressed paedophile. These paedophiles usually have a normal adolescence, good peer relationships and heterosexual experiences. Gradually they develop feelings of masculine inadequacy and self-doubt. The paedophilic act is usually precipitated by a significant experience that impacted on the male's ego.

2.3.1.4 Disinhibition theory

The disinhibition theory suggests that poor impulse control, neurological impairment, the excessive use of alcohol and drugs, as well as environmental stressors could give rise to the fact that the paedophile resorts to deviant sexual practices. In some instances situational factors, as well as personality factors are used as explanations for disinhibition. Conventional inhibitions and sanctions against having sex with children are not present in some individuals. Ordinary sanctions and controls are insufficient to prevent these adults from deviant sexual practices, or there is a higher level of acceptability for such behaviour. The reluctance of the current legal system to prosecute and punish offenders, portrays a so-called green light to potential paedophiles. This sometimes gives the impression to uninformed citizens that the actions of paedophiles are excusable. There is a tendency among the public and

professionals to blame victims, rather than offenders. This often leads to the justifications that offenders offer for their own violations. Anything that reinforces excuses, or justifies paedophilia, can lead to the reduction of inhibitions. Thus, if paedophiles believe that their actions are morally justifiable, they will be more inclined to act on their impulses and fulfil their sexual desires (Finkelhor & Araji, 1986:155).

Faller (1990:56) identified the following factors that can contribute to a paedophile acting on his sexual arousal towards a child:

- Pervasive superego deficits: This refers to instances where offenders lack a conscience and can lead to the individual being involved in various anti-social activities or offences.
- Lacunae in the superego: The holes or lacunae may relate to sexual activity in general, or specifically to sex with children, which may be a result of early sexual experience or deviant sexual socialisation. These offenders usually behave appropriately in other areas of their lives.
- Thinking errors: The offender may be convinced that sexual activities with a child are acceptable. He may for instance rationalise that the child enjoys having sex, that his behaviour is justified because his wife does not satisfy his needs, or that the absence of penetration means that it is not abusive.
- Poor impulse control: The offender may know that sexual activity with a child is wrong, but fails to control his impulses.
- Diminished capacity: This can be due to alcohol or drug use, or can even refer to psychosis that can include delusions. Mental retardation can also be added to this category.

The four-factor model given above is useful in some explanations for paedophilic behaviour. A more holistic theory of paedophilia, which addresses all the factors that attribute to paedophilia is, however, essential. Paedophilia is not sufficiently explained by accepting that a paedophile is an adult who is sexually aroused by children. For example, some adults that are sexually

aroused by children do not act on their feelings, but find alternative sources of sexual gratification. These individuals are normally inhibited by social controls and sanctions, and refrain from acting on their aroused feelings (Finkelhor & Araji, 1986:156). None of these theories can “account for the multiple causes and the full range of learning experiences, beliefs, motivations and attitudes of paedophiles” (Bartol & Bartol, 2005:409). A more convoluted model that integrates a diversity of single factor explanations, in a way that accounts for the many different kinds of paedophilic outcomes, needs to be developed (Finkelhor & Araji, 1986:147). For this reason, the gratification approach developed by Jay Blumler and Elihu Katz will be discussed to supplement the explanatory framework of paedophilia, with specific reference to Internet paedophilia.

2.3.2 GRATIFICATION APPROACH OF BLUMLER AND KATZ – AN INFORMATION TECHNOLOGY THEORY

When looking at technology and what its impact is on crime, in this instance the use of the Internet for paedophilic activities, the gratification approach of Blumler and Katz can be applied (De Beer, 1998:21). They insist that viewers, listeners and readers use mass communication, together with other resources in their community to satisfy particular needs and reach their goals. They make the following assumptions regarding the media and media users:

- The media is goal directed. This means that individuals use the media to satisfy specific goals and to gain gratification.
- In order to satisfy the needs of the audience, the media has to compete with other sources of information and entertainment.
- Audiences adjust the media in order to fulfil their needs.
- Audiences are aware of their needs, and can offer specific reasons for using a particular medium.

The gratification approach can be linked to the assumption that paedophiles utilise the mass media, in this case the Internet, to gratify their sexual needs, and reach the goal of luring a child into a meeting, which can result in the

molesting of that specific child (Getnetwise: About kid's safety, n.d.). The Internet is a well-established source of information which can satisfy some of the needs that paedophiles might have. Paedophiles can alter the media in order to meet their specific needs. They can gain access to children, and interact with other paedophiles via the Internet (Help stop pedophilia, n.d.). Due to the anonymity granted by the Internet, as well as the relative ease in which paedophiles can lure victims and interact with other paedophiles, the Internet as particular medium of communication and interaction is used increasingly by paedophiles (Just harmless fun? Understanding the impact of pornography, n.d.).

Blumler and Katz (in De Beer, 1998:21) identify four main kinds of needs that users of mass media have and which they are trying to satisfy by making use of mass media. These needs are diversion, personal relationships, identity and surveillance.

- Diversion includes fantasy and imaginative creation.
- Personal relationships imply companionship and mediated social contact.
- Personal identity is a person's reference values.
- Surveillance refers to the need for information and keeping up to date with everyday occurrences.

With regard to the four main kinds of needs that Blumler and Katz identified, one must firstly discuss the matter of diversion. Paedophiles have certain fantasies about children (Gado, n.d.). These paedophilic fantasies can be satisfied by using the Internet to gain access to children, and by viewing child pornography on the Internet (Safeguarding children on the Internet, n.d.). The second need they identify is the establishing of personal relationships. Paedophiles can establish personal relationships, companionship and have social contact with children via the Internet. Thirdly, a need for a personal identity, in order to establish personal values is identified. Paedophiles believe that they are not injuring the child, and are of the opinion that they really love children. They believe that their actions are morally justifiable. The Internet

provides an avenue for these paedophiles to establish contact with other paedophiles that share the same values, norms and ideas. This can lead to the condoning and establishment of the paedophile's personal value system. Lastly, a need for surveillance is identified, which involves a need for gaining information and keeping up to date with current issues. Paedophiles can gain information about the *modus operandi* of other paedophiles, and keep up to date with the latest developments in the field of paedophilia. In addition, the Internet can be used to gain personal information regarding children, which the paedophile can pursue if he wants to (Mahoney & Faulkner, 1997).

The researcher is of the opinion that paedophilia is a complex phenomenon, seeing that so many types and patterns of paedophilia exist. Paedophiles who pursue their victims via the Internet, further complicates matters. However, the paedophile who utilises the Internet, is not a new category of paedophile, but refers to any type of paedophile that uses the Internet as a medium or as a new avenue to pursue his victims. Thus, they can fall within any of the categories provided above. The category will be determined by the *modus operandi*, and the motivational factors surrounding the paedophilic act.

2.4 PAEDOPHILIC ACTIVITIES VIA THE INTERNET

According to Van Eeden (2004:23), research conducted with school children between the ages of ten and 19 years old shows that 10% of school boys in South Africa are victims of rape. It was found that 8,6% of the respondents were raped the year before the research was conducted. In addition it was found that 11% of the boys and 4% of the girls admitted to sexually abusing someone else during the previous year. Of these child sexual offenders, 66% of the boys and 71% of the girls were previously victims of sexual abuse themselves. Thus, a cycle of sexual abuse emerges, where the victim ultimately becomes the perpetrator (Booyens, 2003:29). Paedophiles can commit various acts of sexual abuse with a significant number of victims before being apprehended. A long term study of sex offenders showed that these

paedophiles committed an average of 281 sexual acts with 150 partners (Gado, n.d.).

When referring to paedophilic activities on the Internet, it is important to remember that offenders who target children over the Internet represent a minority of child molesters (Innocence in danger, n.d.). Those close to children, in other words family members and people in their community, commit the majority of sexual offences. However, with an increase in the use of personal computers, this is an ever-growing minority. When considering that criminals who utilise the Internet might become desensitised to the crimes that they are committing, because it is easier to commit a crime against a faceless individual, one can conclude that Internet paedophilia might become a common phenomenon (Desir, n.d.).

Macmillan (2001) states that it was already estimated during 2002 that approximately 30 000 paedophile websites existed on the Internet. It is important to note that the profile of a paedophile that utilises the Internet differs from a paedophile that uses traditional methods. A paedophile that utilises the Internet is normally a white, middle-aged, technologically knowledgeable, educated, middle to upper-class man. In support of this, Burke (n.d.) states that “it is only the cream of the crop that does it on the Internet”. In addition, paedophiles using the Internet normally have no criminal record (Macmillan, 2001).

Currently the Internet is providing the paedophile with an avenue for locating children who are at risk of possible sexual abuse. Paedophiles also use the Internet to offer mutual support to each other. This helps them to replace their feelings of alienation with feelings of being misunderstood (Burke, n.d.). Communication with other paedophiles leads them to falsely believe that their attraction to children is an acceptable way of life. In addition, they openly share their stories of child abuse via the Internet. In certain chat rooms, paedophiles encourage one another to proceed with their loving relationships and to make advances on new victims. In these chat rooms, paedophiles educate each other regarding ways to meet, attract and exploit children and how to deceive

the parents of their victims into believing that they pose no threat to the family. In addition, they advise each other on ways in which they can ensure that the abuse remains undisclosed. Anonymous e-mail addresses and the use of nicknames while using chat services give rise to paedophiles openly relating, sometimes even bragging about their stories of child exploitation. Paedophiles are also contemplating ways in which they can influence public views regarding the sexual exploitation of children. In some instances they openly take a stand against legal authorities (Sex abuse: Internet crimes, n.d.).

The largest known organised paedophile group on the Internet is the Man/Boy Love group with a website entitled Free Spirits. On this website, links are provided to documents that support paedophilia. This group has even developed a creed, namely the BoyLove Manifesto and they believe that a boy lover refers to a person who desires a friendly and close relationship with a boy. The relationship does not necessarily involve sexual intimacy. This group also believes that there is a mutual attraction between the adult and the boy. According to them, the boys feel attracted to adults that take them seriously and treat them with respect. In these relationships the older partner nourishes the spirit of the child, which in turn makes the child feel free to develop and grow, seeing that his partner treasures his personality and respects him. They believe that it is the right of the boy to develop his sexuality and individual character without restraint. According to the group, no physical or psychological pressure is placed on the children. The relationship is shaped in compliance with the desires and needs of the boy. In addition, they proclaim that they do not interfere with the autonomous development of the boy (Mahoney & Faulkner, 1997). When considering that a paedophile's attraction to children cannot be suppressed, they attempt to justify their own behaviour and reinforce the idea that they do nothing wrong (Gado, n.d.).

One of the demands made in the BoyLove Manifesto is that paedophiles want freedom in order to have legal sexual relationships with boys. They feel that the current law infringes on basic human rights, as children are prohibited to engage in a sexual relationship with an adult, even if it is based on mutual love. In the Manifesto it is demanded that children and boy-lovers must be included

in the debate regarding sexuality between children and adults. The boy-lovers are of the opinion that it is essential to involve both parties when considering what is in the best interest of children, as the people who are currently making the decisions derive their knowledge from books and statistics, and not from experience. They also demand freedom of speech in the media and that the legal status of the child should be reconsidered (Mahoney & Faulkner, 1997). Thus, paedophiles seek the right to openly relate their desires and stories of sexual relationships with children. In addition, they demand that children should be given the right to legally consent to sexual activities with adults.

The utilisation of the Internet as a means of exchanging child pornography is another aspect that needs attention (Help stop pedophilia, n.d.). The fact that child pornography can be seen as a “crime scene record of a child’s sexual abuse”, indicates the graveness of distributing child pornography (Just harmless fun? Understanding the impact of pornography, n.d.). In an Internet article (Hughes, n.d.) it is stated that one in four kids use chat rooms. An estimated 89% of the sexual solicitations are made in chat rooms, and one in five children who use chat rooms have been approached online by paedophiles.

A further matter of concern is that if a child searches the Internet for information about toys. By typing the concept “toy”, it will lead to toy sites, but also to sites which provide information about adult toys (Internet child protection, 2001). In some instances an invitation to visit an adult toy store’s chat room will also pop up on the site. Double clicking on a specific link on the website enables the visitor of the site to enter such a chat room. In these chat rooms paedophiles will attempt to befriend a child. Words that are spelled incorrectly (e.g. dinsey instead of disney) as well as innocent searches (e.g. toys, boys or pets) can also lead to unintentional access of child pornography websites. Thousands of links to pornographic sites are found when searching for popular children’s characters, for instance Pokemon, My Little Pony and Action Man (Hughes, n.d.). Pages with explicit and free child pornography that consist of children’s cartoons that are manipulated in the form of child pornography are also available on the Internet. These pages usually lead to a

page where credit card details are required to view more pornography (The contribution of hotlines to combating child pornography on the Internet, 1999).

2.4.1 PAEDOPHILES WHO APPROACH CHILDREN VIA A CHAT ROOM

Roughly 33% of all the Internet users in the world have been in a chat room at least once. By 2004 there were 100 million Internet users in the USA. From this it can be derived that 33 million people in the USA have used a chat room at one time or another (The guardianangel, n.d.).

When using a chat room, one has to select a username and password, and log into a specific chat room, as there are normally different rooms that one can choose from. When entering the chat room, one will find a list that displays the names of the people who are currently online. The people online are also notified that another person has entered the chat room. In order to chat, one has to type a message in a text box. The message is displayed without delay, and is visible to everyone in the chat room, which provides anyone the opportunity to type a reply. In addition, users can enter chat rooms and read the typed messages without sending any messages. This process is commonly referred to as lurking (Search WebServices, n.d.).

After a child has accessed a chat room and selected a screen name that he or she wants to be known by while chatting, the child will fill out a profile that will contain personal information of the child. After completion, the profile is accessible to anyone who uses that online system. After selecting a screen name, the child selects the room he or she wants to chat in. Following the selection of a room, the child's screen name appears within that room. Once the child enters a room, the paedophile can find out what the age, gender and geographical location of the child is. Some of the profiles request the name of the school that the child attends, which means that the paedophile has access to that information as well (Safeguarding children on the Internet, n.d.).

Online services, which allow anyone to receive the name and address for any listed telephone number, exist in the USA. Thus, if a child only provides a

telephone number, the paedophile can use the available technology to locate the child's home address. As soon as the address is available, a programme that provides a map of the neighbourhood where the residence is situated, can be used. This could provide the paedophile with precise directions to a potential victim's address (Safeguarding children on the Internet, n.d.).

As soon as the child has completed the profile with all his or her personal details, the child will start chatting online. Initially a paedophile will only observe the conversations that the child is having with other people, without participating. The paedophile will observe the behaviour of the selected child, and familiarise himself with the likes and dislikes of the child. After observing the child's behaviour for a while, the paedophile will begin a process which is known as grooming. The purpose of the grooming is to gradually gain the child's trust and develop a relationship. Paedophiles often pretend to be children, by sending counterfeit photographs of a child as identification. Paedophiles initiate the grooming process by the online discussion of topics that children are interested in. Paedophiles are experts when it comes to the manipulation of children, and are skilled in ways to make children believe that they are sincere and likeable. Subsequently, a relationship built on mutual trust between the child and the paedophile develops. The paedophile will normally ask the child if he or she is home alone, and will ask where the computer is located, and if anyone else uses the computer. If the child's answers are not satisfactory, the paedophile will normally terminate the conversation (Safeguarding children on the Internet, n.d.).

Usually paedophiles start an innocent conversation with the child. At this stage everyone in the chat room can see what is being said. However, most chat programmes allow for a private method of chatting, where only the two people involved in the conversation can take part. After a brief period of time, the paedophile will suggest that they must use a private forum for the remainder of the conversation (Safeguarding children on the Internet, n.d.). As soon as they enter the private forum, paedophiles will enquire about the child's relationship with his family and friends. Paedophiles will show lots of love and affection to

the child, and will try to convince the child that his family does not love him (Sexual exploitation of children, n.d.).

After the initial grooming phase, the paedophile usually starts to send jokes of a sexual nature in order to determine the child's reaction. Then a conversation about sexual experiences will begin, in order to try and lower the child's inhibitions. Different sexual positions and techniques might be discussed, and some paedophiles might even ask the child to masturbate. In order to illustrate that it is a normal activity that is performed by everyone, the paedophile may send the child graphic images of other people who are masturbating. The paedophile may then try to increase the amount of trust between him and the child, by asking the child to remove or delete the pictures from his computer. Normally he then tells the child that they would be in trouble if anyone else found out about the pictures. The child would then be asked to keep the conversations private (Safeguarding children on the Internet, n.d.). The paedophile will try to break down the child's inhibitions by showing him photographs of other children who are engaged in sexual activities. If the paedophile is successful in the luring process, he will persuade the child to meet in person, in order to have sexual intercourse. If they do not live in close proximity to each other, the paedophile will even send money or tickets to the child for transportation (Sexual exploitation of children, n.d.).

2.4.2 PORNOGRAPHY AND THE INTERNET

Pornography on the Internet is available in different formats, which ranges from short animated movies, to pictures or sound files (Akdeniz, 1997:2). In March 1998 there were 100 000 commercial pornography sites on the Internet, with an estimated 200 new sites established every day. These sites usually offer complimentary teasers to everyone visiting the site. As there are no laws protecting children from adult pornography on the Internet, anyone can provide pornography to children via the Internet without fear of prosecution (Just harmless fun? Understanding the impact of pornography, n.d.).

A theoretical perspective on the correlation between pornography and sexual violence was developed by Victor Cline, a clinical psychologist at the University of Utah (Just harmless fun? Understanding the impact of pornography, n.d.). He identifies the following four stages of viewing pornography after the initial exposure to pornography.

- Addiction: The desire to constantly have access to pornography for sexual arousal.
- Escalation: The need for more overt, explicit and deviant pornographic images in order to be sexually aroused.
- Desensitisation: The user starts considering material that was once seen as disgusting or appalling, as tolerable and suitable.
- Acting out: The user starts acting out, or performing the activities portrayed in the pornographic images. This can possibly include acts of paedophilia or rape.

Conradie (2001) supports the view that pornography predisposes some men to commit acts of sexual abuse. Research indicates that rape incidences in SA have increased with the escalation of the availability of pornography (The Films and Publications Bill of South Africa, Second Reading Debate, 1996). In support of this, Du Toit (1998:10) postulates that it has been scientifically proven that a correlation exists between pornography and the sexual abuse of children. The actual sexual arousal by pornography leads to distorted thinking, and reinforces deviant sexual ideas and behaviour. The viewing of pornography reinforces sexual arousal as well as deviant sexual practices (Conradie, 2001).

2.4.3 CHILD PORNOGRAPHY AND THE INTERNET

Pornography is used to normalise sexual behaviour, to put responsibility onto the victim for becoming aroused by the material and to generate secrecy. Furthermore, guilt is used as a way of manipulation (Conradie, 2001). Child pornography is shown to the victim to lower his inhibitions, and to introduce the possibility of having sex with an adult. In addition, the paedophile uses child pornography for fulfilment of his sexual needs (Gado, n.d.). As paedophiles do

not find children desirable when they become older and more mature, child pornography is a means of preserving the child's youth. The paedophile can thus keep a pictorial record of the child's appearance at the desirable age (Sexual exploitation of children, n.d.).

According to Wright (2004:49), the demand for pornographic images of babies and toddlers on the Internet is dramatically increasing, which emphasises the need to do something to restrict child pornography on the Internet. The typical age of children being used in child pornography is between 6 and 12 years, but the average age is getting younger.

According to Carstens (2001:15), exposure to child pornography can have long term psychological effects on children. The reaction of children who are used as models for child pornography can be compared to that of a person who was raped. Some of these children are exposed to bondage, and have chafing marks on their wrists, feet or neck. Injuries to the mouth caused by oral sex are also common. The exposure to child pornography can lead to children starting to masturbate at an early age, or becoming promiscuous. Children are sometimes oblivious to the fact that child pornography videos are filmed. When they find out what has happened to them, they are often manipulated and told that if they do not comply, their friends and family will be told about the content of the video. On the other hand, some children knowingly get involved in child pornography. Some street children become involved in child pornography in order to earn money to survive on the streets.

Many paedophiles allow other paedophiles to upload their child pornography files from their home computers (Innocence in danger, n.d.). Paedophiles are inclined to share their collections with other paedophiles, as they often have the need to talk about, and show their collections to others (Tate, 1992:212). Many paedophiles have an extensive collection of child pornography and they usually view this collection as their most cherished possession (Gado, n.d.). It is important to note that paedophiles often do not reach a point of saturation where they feel that they have a sufficient collection of child pornography. This explains why they will never discard any of their material. Even if they suspect

that they are being investigated, they will not destroy their material, but will rather conceal it or temporarily remove it from their premises. Cases have also been reported where paedophiles bequeath their child pornography collections in their wills to other paedophiles (Tate, 1992:212). The collection of child pornography is often a representation of the paedophile's most inner sexual fantasies and thoughts.

Paedophile collectors can be divided into three categories, namely the closet collector, the isolated collector and the sharer. The closet collector obtains his child pornography clandestinely and does not molest children. The isolated collector engages in acts of paedophilia and may show his collection to the victim. The sharer-collector displays the material to other paedophiles and provides the opportunity for other paedophiles to obtain the material (Gado, n.d.). According to Tate (1992:203) the collections of child pornography can range from material displaying naked children, to explicit material of children's genitalia that is spread apart. In addition, it can also include material that portrays oral, vaginal and/or anal sex. In some instances, children are photographed while urinating on adults or on other children. Sometimes images of children are portrayed where they are covered with semen of their abusers. Cases have also been reported where children are photographed while having sex with an animal (bestiality).

2.5 EXISTING PREVENTATIVE MEASURES TO CURB INTERNET USE FOR SEXUAL ACTIVITIES WITH ADOLESCENTS

From the abovementioned, it is clear that the Internet, as a new avenue for paedophilia, poses a great challenge to the Criminal Justice System. In 1998, a Ministerial Task Team was established in SA, in order to try and control the distribution of child pornography on the Internet. Seeing that only some police officers are computer literate, the South African Police Service (SAPS) are not equipped to deal with Internet pornography and paedophilic activities via the Internet. The police rely on citizens to provide them with information regarding illegal content on the Internet, in order to be able to monitor it and prosecute

the guilty parties. Thus, instead of being proactive, a reactive approach is being followed (Maree & Van der Merwe, 1999:64).

In the following section, case studies that were dealt with in the Criminal Justice System will be discussed in chronological order. Following this, the policing of the Internet will be outlined. Subsequently an exposition of current legislation, current filtering and blocking software, as well as the level of parental awareness will be provided.

2.5.1 CASE STUDIES IN THE CRIMINAL JUSTICE SYSTEM

Case studies pertaining to Internet paedophilia and Internet child pornography will be discussed. The case studies are included as it is an indication of the prevalence of Internet paedophilia, as well as child pornography on the Internet both locally and abroad. Even though some of these case studies are overseas examples, it is relevant for the South African context, as the Internet is a global medium that is used worldwide.

2.5.1.1 Case study 1

During 1995, Joseph Pecchiarich was convicted and sentenced under the Canadian Criminal Code to two years probation and 150 hours of community service for distributing child pornography over the Internet. *R v Pecchiarich* was the first reported case dealing with pseudo-photographs. He used pictures from magazines and store catalogues that featured children who were modelling swimwear and underwear. He scanned these pictures and altered them in order to fulfil his paedophilic fantasies. In other words, no physical abuse of a child occurred when he created the photos (Akdeniz, 1997:5). According to Skelton (quoted in Akdeniz, 1997:5) "having fantasies about sex with children is not against the law. Pecchiarich is a criminal because he wrote those fantasies down".

2.5.1.2 Case study 2

In July 1995, police in the United Kingdom (UK) investigated a paedophile ring that used the Internet for the distribution of child pornography. Operation Starburst led to the arrest of nine British men, as well as men in Europe, America, South Africa and the Far East. Operation Starburst led to the prosecution of Christopher Sharp. He was fined £9 000, and became the first person to be prosecuted in a case involving pornography and the Internet in the UK. Sharp was arrested for the possession of indecent photographs of children under the age of 16 years. Operation Starburst also led to the imprisonment of Martin Crumpton, a former computer consultant. He was the first person to receive a prison sentence for an offence regarding child pornography and the Internet. In 1996, he was sentenced to three months imprisonment. During 1996 a legal precedent was set when a judge ruled that computerised images could be legally regarded as photographs (Akdeniz, 1997:7). The activities of Father Adrian McLeish, a Roman Catholic priest were also exposed during Operation Starburst. To date he held the largest known collection of electronically gathered child pornography. He exchanged thousands of explicit e-mail messages with other paedophiles and was sentenced to six years imprisonment. McLeish admitted that he indecently assaulted two 10 year old boys, one 12 year old, and another boy of 18 years old. He was also involved in the import of child pornography videos. McLeish was linked to the Internet through four different companies and made use of encryption software. Approximately 3 251 image files, each containing up to 15 pictures, were recovered. This was the first case where causality between child abuse and Internet usage could be established (Akdeniz, 1997:6).

2.5.1.3 Case study 3

During March 1998, Mark Kufrovich from California pleaded guilty and was sentenced to 18 months imprisonment. He met Katie Tarbox from Connecticut in a chat room and a relationship developed. Kufrovich pretended to be a 23 year old man, and Katie was 13 years old. She knew that he was older than her, but had no idea that he was 41 years old. Katie did not feel good about

her appearance and was vulnerable when Kufrovich approached her. She was under the impression that he really cared for her, and he made her feel special. His good vocabulary and excellent grammar impressed Katie, and gave her the idea that he was well educated and a decent and honest man. Unfortunately she was under the wrong impression. Kufrovich was not a decent, honest man. He had a history of preying on children. Katie agreed to meet him in a hotel in Texas, where she discovered the truth about Kufrovich, and where he molested her. Katie felt alone, as she got no support from her family or friends. They felt that she was to blame for what happened to her, as she agreed to meet Kufrovich. Furthermore, Katie thought Kufrovich was her best friend, but after realising the truth about him, the friendship disintegrated (Burke, n.d.).

2.5.1.4 Case study 4

During May 2000, a 33 year old man was charged in the UK with 14 offences under the Sexual Offences Act and the Child Abduction Act. The offender met a 13 year old girl in a chat room, and used e-mail and a mobile phone to communicate with the girl. The relationship led to him sexually abusing and raping the girl. After the man was set free on bail, he was arrested while he was on his way to meet another 14 year old girl, whom he also befriended in a chat room. He was sentenced to a five year prison sentence. In addition, his name was added to the Sex Offenders Register, which is a register that contains the names of people who were convicted of sexual offences (Chat wise, street wise - Children and Internet chat services, n.d.).

2.5.1.5 Case study 5

During October 2000, 1 500 offenders were charged in Italy in connection with an investigation into child pornography on the Internet. They were apprehended when downloading child pornography from a fake paedophile Internet website that was established by the authorities. The site was called *amantideibambini* (lovers of children). A total of 1 032 subscribers accessed this website (Italy charges 1 500 people in child porn inquiry, 2000).

2.5.1.6 Case study 6

In February 2001, a police operation named Operation Cathedral revealed a paedophile ring that was called the Wonderland Club. The investigation involved 1 500 police officers, and suspects from 12 countries were apprehended. After being tipped off by USA Customs services, police officers tracked down the ISP's that the paedophiles used. In doing so they could trace the individual names and addresses. Police officers observed those who were using specific computers, and they established that some computers were in shared houses or communes. They also traced some users to universities and public libraries. This led to the arrest of 105 men. The police found that the two main rules for being a member of the Wonderland Club were that each of the members must have at least 10 000 pictures of pre-teen kids, and the members had to agree to exchange those images with other members. In some of the images, babies were portrayed (Oelofse, 2003:7).

Before apprehending the Wonderland Club, the largest seizure of child pornography ever made was 7 000 separate images. The Wonderland Club had members across USA, Australia and Europe. They had at least 750 000 still pictures, and 1 800 digital video clips of children being sexually abused. The children that were involved were under the age of 16, and one of the cases involved a child of three months old. Due to advanced encryption techniques, all the pornographic material could not be accessed. Two computer consultants from specialist companies were hired to work on the case. Due to the technological challenges, it took them 14 months to solve the case (How police smashed child porn club, 2001).

2.5.1.7 Case study 7

In SA, the former television presenter, Tascoe Luck de Reuck was apprehended in 2001 after the police found 3 000 child pornography images in his possession. He unsuccessfully challenged the constitutionality of certain provisions of the Films and Publications Act (Act No. 65 of 1996) in the High Court. He claimed that the Act infringed on his human rights. Tascoe Luck de

Reuck claimed that the prosecution was in conflict with his right to privacy and freedom of expression, as he only had the material in his possession for research purposes (Carstens, 2001). After his unsuccessful attempt in the High Court, he appealed to the Constitutional Court, where the appeal was dismissed. The Constitutional Court found that although the viewing of child pornography took place in the privacy of De Reuck's home,

the intrusion of the law into his private domain is justifiable as many of the resultant acts of abuse against children take place in private. It was found that it is reasonable and justifiable that the rights of researchers and film-makers in relation to possession and importation of child pornography should be limited (*De Reuck v Director of Public Prosecutions, Witwatersrand Local Division and Others 2004 (1) SA 406*).

2.5.1.8 Case study 8

In February 2002, Dieter Vogt, a South African, was sentenced to 65 years in prison without parole for the possession and distribution of child pornography, and for engaging in sexual activities with minors. Vogt committed these offences while he was working at a summer camp in Florida, USA. He chemically intoxicated and drugged his victims before sexually molesting them. Vogt made use of encryption, which meant that the child pornography could only be accessed with a special password (US camp sued over SA child pornographer, 2001). Investigators in Miami, USA liaised with South Africa's Child Protection Unit, now called the Family violence, Child protection and Sexual offences unit (FCS), and this led to the SAPS investigating similar accusations against Vogt in South Africa. Christo Struwig from the Child Protection Unit in Cape Town confirmed that charges have been brought against Vogt. As soon as Vogt returns to South Africa, he will be charged with indecent assault (US camp sued over SA child pornographer, 2000).

2.5.1.9 Case study 9

During July 2002, 50 members of a paedophile gang were arrested in the Netherlands, in a 12 month operation that was called Operation Twins. Various computers, videos and CD's were confiscated. The gang exchanged

photos and videos of violence committed against their own sons and daughters, as well as other children. Their activities included the production and distribution of child pornography and the abuse of children. In some cases the abuse was captured by a webcam (computer interfaced camera) and broadcasted live on the Internet (Web child porn raids across Europe, 2002).

2.5.1.10 Case study 10

During September 2003, a Russian couple appeared in a South African court on the charge of production of child pornography. In March 2005, the couple was found guilty on the charges of indecent assault, and the production and/or distribution of child pornography (Liebenberg, 2005:11). They allegedly used their own children for the pornographic movies that they distributed (Oelofse, 2003:7).

According to Faller (1990:46), instances of parents making pornography of their own children are increasing. In the past, amateur productions of child pornography were limited, due to the fact that professional photographic studios are required to report any person who asks to develop material containing child pornography. The availability of reasonably priced video equipment and the redundancy of photographic laboratories have however facilitated the growth in the production and copying of child pornography.

2.5.1.11 Case study 11

According to Prins (2004:1), a man from Muldersdrift in Gauteng, South Africa was apprehended in 2004 for the possession and distribution of child pornography. The police found a video portraying a girl having oral sex with a man. Ten girls, younger than seven years, who were involved in sexual activities were portrayed in the video. Approximately 50 videos were found in the man's possession. The man has been accused of raping minors, and was also charged with indecent assault (Prins, 2005:3).

2.5.1.12 Case study 12

While repairing a home in Maryland, USA, after the devastation of Hurricane Ivan, workers discovered approximately 20 boxes of child pornography displayed on CD's, videotapes and photographs. A truck had to be used to remove all the material. The owner of the house, Robert Medvee, a 52 year old man, was charged with 48 counts of creating computer images of child pornography, and 48 counts of possession of child pornography (Tornado reveals child porn cache, 2004).

2.5.1.13 Case study 13

According to Bunyan and Warren (2004), a former marine from the USA, Toby Studabaker, who did military service in Afghanistan, groomed a 12 year old English girl on the Internet, where after he abducted her. He made contact via a website that features virtual reality pets (Neopets, n.d.). Previously the researcher referred to instances where paedophiles enter toy sites where children frequently browse, in order to gain access to children and befriend them (Haupt, n.d.). This case study is a practical example of how a paedophile misused a website that was designed for the entertainment of children. Studabaker initiated emotional discussions with the girl which later culminated in cybersex. The girl's parents said that their daughter was connected to the Internet for up to 11 hours per day. This led to Studabaker going so far as to buy airline tickets for him and the girl and took her on a five day rendezvous to Paris (Bunyan & Warren, 2004). This corresponds with literature, as it is stated that if the paedophile and the child do not live in close proximity to each other, the paedophile will even send money or tickets to the child for transportation (Sexual exploitation of children, n.d.).

Because Studabaker committed the sexual assault in France, he could not receive a sentence of life imprisonment in the UK (the girl resided in England). Even though having sexual intercourse with a girl younger than 13 years is a criminal offence in the USA (Studabaker is an American citizen), it is not an offence in France. If he was found guilty in the USA, he could receive a

maximum prison sentence of up to 110 years (Bunyan & Warren, 2004). This is an illustration of the problems that jurisdiction can pose.

2.5.1.14 Case study 14

According to Du Toit (2005:4), advocate Dirk Prinsloo and his friend, advocate Cezanne Visser (advocate Barbie), two South Africans, are standing trial on the counts of child rape and indecent assault. They are accused of intoxicating and raping a 14 year old girl who was entrusted in their care. They acted as caretakers for different children from children's homes on weekends and during school holidays. Pictures were found of two girls, engaging in sexual acts with Visser. Eleven child pornography photos were found in Prinsloo's possession. During the investigation, cannabis was found in a safe in Prinsloo and Visser's home. In addition, the couple is accused of having sexual intercourse in the presence of an eleven year old child. The child was also forced to expose herself and swim naked.

Prinsloo recently left the country and allegedly he is in Russia. A warrant of arrest has been issued for him (Dirk Prinsloo skips the country, 2006).

2.5.2 POLICING THE INTERNET

A controversial method of policing the Internet is the deployment of virtual undercover officers, who enter chat rooms, pretending to be a child. The police officer will make an effort to get involved in a conversation with a paedophile. When a meeting is arranged, other officers will wait for the adult to arrive and arrest him (Gillespie, 2001:445).

Another method that is being used by the Federal Bureau of Investigation (FBI) is to create an online persona of an adult that has access to children and seeks to develop online relationships with paedophiles. During one of these investigations, an agent pretended to be the father of an eight year old girl. The agent asked online advice on sado-masochism and asked advice on whether or not to pursue his fantasies. He received numerous replies, stating

that he should act on his fantasy. In addition, the respondents gave him advice on how to sexually torture his daughter and how to administer a date rape drug, in order to sedate her while he fulfils his fantasy. This online discussion led to the arrest of a man who had sent hundreds of pictures of young children being raped and tortured, to the FBI agent (Stalking child molesters on the Net, 2002). In the USA, a group of self proclaimed hackers established a group, Ethical Hackers Against Paedophilia (EHAP) in order to trace websites where paedophilic activities take place, and to try and keep obscenities off the Internet (Desir, n.d.).

2.5.3 RELEVANT LEGISLATION

Legislation that is applicable to the prohibition of paedophilic activities via the Internet will now be discussed.

The Sexual Offences Act (Act No. 23 of 1957) makes intercourse of an adult with a child younger than 16 years a punishable offence, as a child younger than 16 years cannot legally consent to sexual intercourse. If the sexual activities consist of indecent acts, it will be an offence if the child is younger than 19 years, regardless if consent was obtained. If an adult has intercourse with a 12 year old girl or younger, it is regarded as rape. In addition, the procuring of children to commit indecent acts, as well as the kidnapping of minors in order to exploit them, are also punishable offences (Haupt, 2001:28).

After the 1994 election, the Indecency Act (Act No. 37 of 1967) was declared unconstitutional by the Constitutional Court due to the fact that the Act infringed upon individuals' right to freedom of speech as set out in the Constitution (Du Toit, 1998:85). Currently the Constitution of the Republic of South Africa (Act No. 108 of 1996) is the most binding law in South Africa. This implies that any law or conduct that is inconsistent with the Constitution is invalid (Haupt, 2001:25). According to Section 28(1)(d) of the Constitution every child has the right to be protected from maltreatment, neglect, abuse or degradation. In addition to this, it is stated in Section 14(1), that everyone has a right to freedom and security of the person, including the right not to be treated or

punished in a cruel, inhumane or degrading way. In Section 28(2) it is stipulated that the child's best interests are of paramount importance in every matter concerning the child. This highlights the fact that the duty to protect children from being abused is a constitutional obligation.

According to Haupt (2001:25), the Films and Publications Act (Act No. 65 of 1996) makes provision for the protection of children from harmful content in visual and printed media, as well as the sexual exploitation of children by the media. One of the objectives of the Act is to make the exploitative use of children in pornographic publications, films, and on the Internet, punishable. According to Article 27(1), a person shall be guilty of an offence if he or she knowingly creates, produces, imports or is in possession of a publication which contains a visual presentation of child pornography, or creates, distributes, produces, imports, or is in possession of a film which contains a scene, or scenes, of child pornography.

The Films and Publications Act (Act No. 65 of 1996) was amended in 1999. The Films and Publications Amendment Act (Act No. 34 of 1999) specifically provides a definition of child pornography. The definition not only covers the exploitation of children, but also their degradation. The amended provisions of the Act are clearly in line with the broad protection envisaged by Section 28(1)(d) of the Constitution. The Act defines publication in such broad terms to include computer software that is not a film, as well as any message or communication, including a visual presentation, placed on any distributed network, including the Internet. The definition of publication now includes any message or communication, including a visual presentation, placed on any distributed network including, but not confined to the Internet. According to Buys (2000:350), all forms of pornography on the Internet can be regarded as a publication for purposes of the Act. Visual presentation refers to a drawing, picture, illustration, painting, photograph or image or any combination thereof, produced through, or by means of, computer software on a screen or a computer printout. According to Haupt (2001:26), the definition of visual presentation also includes pseudo-photographs or images. Pseudo-photographs refer to photographs that are technically created by computer

software by combining more than one picture. For example, a child's face could be superimposed on the naked body of an adult, or another child's body, and the features of the body can be altered.

During August 2000, South Africa was reviewing existing legislation, so that a person could be charged and prosecuted in South Africa, even if that person produced child pornography in another country (Keeping track of paedophiles, 2000). One of the aspects that is not addressed in the Films and Publications Act (Act No. 65 of 1996) or Films and Publications Amended Act (Act No. 34 of 1999) is the fact that possession is not defined. That raises a number of questions as far as it is related to the Internet. It is problematic to determine whether viewing child pornography on a browser would constitute possession of child pornography, or whether it requires a further positive act from the accused to establish possession thereof. It is suggested that the possession and knowledge requirements of the offence are only established once the accused downloads the child pornography onto a computer's hard drive or onto a disk.

Although the Films and Publications Amendment Act (Act No. 34 of 1999) sets out certain conditions for publications, it has been criticised for not protecting children effectively, especially with regard to the use of the Internet. Although the Act is a huge improvement, there is still no clear definition of whether the Internet is a publication or a film. Current legislation requires that films must be submitted for classification, while publications are only investigated after complaints are filed (Maree & Van der Merwe, 1999:64). Although the classification scheme provided by the Act grants some form of protection to children, the administration of the scheme is reactive. It is only activated by the submission of a complaint, or an application to investigate a possible case where the Internet has been used to lure children into a meeting with an adult with paedophilic tendencies. By then it is usually too late to do anything about it (Review of the Child Care Act, 2002).

The Films and Publications Act (Act No. 65 of 1996) was amended again in 2004. According to Meintjies (2005), President of the South African

Professional Society on the Abuse of Children (SAPSAC), the implications of the Films and Publications Amendment Act (Act No. 18 of 2004) came into effect on 28 October 2004. It extends the definition of child pornography to include images that, within context, amount to sexual exploitation, or that can be used for sexual exploitation. It is not a prerequisite that the images must be an explicit display of genitals or sexual conduct. In other words, the circumstances might serve to prove that the images are inappropriate. Furthermore, the possession of publications containing child pornography (written accounts of sexual conduct with children) is also prohibited. When an individual searches Internet sites by using words such as *kidporn*, *childsex* and *teensex*, or orders items of child pornography (e.g. videos or DVD's) an offence is committed. In addition, the act of promoting, advocating or advertising child pornography is also prohibited by the Act.

A reporting duty also rests on all individuals who have knowledge of, or reason to suspect that an offence relating to child pornography is, or has been committed. Parents are held accountable, and they have to take steps to prevent their children from accessing pornographic material. Negligence on behalf of the parents is also punishable. ISP's are compelled to register and take steps to prevent the hosting of child pornography websites. They are also obligated by the Amended Act to take steps if they have knowledge of child pornography being hosted or distributed. This means that they have a reporting duty to report the existence of such websites, and to provide the material and personal details of users who gained, or attempted to gain access thereto. In particular circumstances, the Act now allows for prison sentences of up to ten years when any of the abovementioned prescriptions are violated.

2.5.4 CURRENT FILTERING AND BLOCKING SOFTWARE

As mentioned in section 1.4.2 software filters such as SurfWatch, Cyber Patrol, Net Nanny or Cybersitter can be installed in order to block access to inappropriate areas of the Internet. The ultimate blocking software programme ought to permit users to switch it on and off with a password, to delete the

block placed on certain sites, and add sites to the list of blocked sites (Buys, 2000:356).

It is important to note that SurfWatch, which is an advanced programme, only promises 90% effectiveness (Haupt, 2001:22). The SurfWatch programme is a software programme that will block access to a list of predetermined sites that contains indecent material. Other software programmes will block sites that contain certain phrases or words. Cyber Sentinel is an example of such a content driven programme. The programme pre-reads the site that the child is accessing and determines if the content is appropriate for the child. If it is inappropriate, it takes a screen capture of the site and saves it in a password protected file that the parents can access. Cyber Sentinel can also be used to assess chat rooms or e-mails. In addition, the programme allows parents to enter prohibited content to a list which will be used by the programme when it scans for inappropriate content. For instance, parents can add their home address, telephone number, the school the child attends, credit card numbers as well as other personal information to the prohibited list. This will ensure that a child cannot send any personal information via the Internet, as the programme will prohibit it (Safeguarding children on the Internet, n.d.).

According to Wright (2004:50), separate e-mail filtering software is also available. If children use online chat services such as IRC (Internet Relay Chat), software such as Net Nanny's Chat Monitor can be installed. The software ensures that all the child's online conversations are recorded, and notifies the parent of possible dangerous situations via e-mail. In addition, advertisements and pop-up cleaners that ensure that porn-related pop-ups does not appear while surfing the Internet, can also be installed (Wright, 2004:50).

Cyber Patrol can be installed to limit the time spent per day on activities via the Internet. Thus, access can be barred outside certain specified time slots. Unfortunately, Cyber Patrol has no monitoring capability and does not keep a log of what children are doing on the Internet (Sykes, n.d.). Thus, to be most advantageous, Cyber Patrol must be combined with parental supervision, as

the time-limiting capacity of the programme does not offer sufficient protection for children while they are engaging in online activities (Getnetwise: About kid's safety, n.d.). Cybersitter can also be installed. This software package monitors children's online activities, and blocks inappropriate websites. Cybersitter ensures that a complete history of Internet activity is available so that parents can have access to the websites and chat programmes that their children use. Attempts to access blocked material are also recorded (Sykes, n.d.).

Prodigy, which is a family-oriented Internet service, restricts users from posting inappropriate messages in chat rooms or public forums. Prodigy parental control involves that children are not allowed to access the Internet without permission from the parent. To establish parental review, Prodigy records the sites that the child accesses. On the other hand, Bessnet which is an ISP designed specifically for educational and familial purposes, blocks access to areas of the Internet that are inappropriate for children, and monitors new sites in order to add to the list of blocked sites on a daily basis (Wallace & Mangan, 1996:243).

Spector Professional Edition is one of the best selling Internet monitoring and surveillance software packages. The programme takes hundreds of snapshots (similar to that of a camera) every hour in order to ensure that you will be able to monitor what the user of the computer did online and offline. The installer of the software will be notified immediately if any of the family members embarked on an inappropriate or dangerous website, or engaged in hazardous discussions in a chat room or via e-mail (Spector will protect your children, n.d.).

Instead of using filtering or blocking software, one can limit children to search engines that are specifically designed for children. Instead of searching the whole Web for information, such search engines will only search within a group of pre-approved sites. Other search engines designed for children will search the whole Web, but will only disclose appropriate information. Similar to other search engines (e.g. Yahoo and Google), child appropriate search engines can also be used at no extra cost (Getnetwise: About Kid's safety: n.d.). Another

development regarding filtering software is that certain programmes allow the user to utilise age appropriate rating systems. In other words, the parent can decide what type of online material can be accessed by children, according to their age. This implies that different filtering criteria can be applied when different members of the family log into the Internet (Getnetwise: About kid's safety, n.d.).

When considering the different types of filtering and blocking software packages, it is important to realise that the monitoring of children's activities on the Internet amounts to the invasion of their privacy. It might convey the message that parents do not trust them. A teenage Internet advocacy group, Peacefire, has been established, which opposes the use of filtering and blocking software for exactly this reason. According to the members of this group, it is more advantageous to equip children with values and norms and to teach them how to distinguish between acceptable and unacceptable online content and activities, than to invade their privacy with filtering and blocking programmes (Sykes, n.d.).

2.5.5 PARENTAL AWARENESS

It is important for parents to realise that children are vulnerable when they visit chat rooms, communicate via e-mail, or register with newsgroups. Parents have to familiarise themselves with the online environment and popular Internet language (online lingo) in order to ensure the safety of their children. In order to speed up the communication process, certain concepts are changed, and different symbols are used on the Internet, or during the use of the short messaging system (sms) on mobile phones. In other words, a specific language of symbols and acronyms is used to express emotions and ideas. This renders parents helpless when they are not equipped to interpret and understand the online lingo that their children are using when communicating on the Internet or mobile phones. Online lingo includes emoticons (referring to symbols or icons that represent certain emotions) and acronyms (referring to abbreviations that represent certain phrases and emotions). The following is a

list of emoticons and acronyms commonly used while communicating on the Internet (Cyberpatrol – Online lingo, n.d.).

- **Emoticons**

(()):**	Hugs and kisses
>:-(Upset or annoyed
:~ss	User drools
:!-(User is crying
:-@	User is screaming
:-x	User's lips are sealed

- **Acronyms**

Abbreviation	Meaning
AND	Any day now
AFAIK	As far as I know
ASAP	As soon as possible
A/S/L?	Age/sex/location?
B4N	Bye for now
BBIAB	Be back in a bit
BBL	Be back later
BBN	Bye bye now
BBS	Be back soon
BF	Boyfriend
BRB	Be right back
BTDT	Been there, done that
BTW	By the way
CNP	Continued in next post
CRB	Come right back
CRBT	Crying real big tears
CU	See you
CUL8ER	See you later
CYA	See ya
CYO	See you online
DLTBBB	Don't let the bed bugs bite
DIKU	Do I know you?
DITYID	Did I tell you I'm distressed?
DQMOT	Don't quote me on this
DTRT	Do the right thing
DWB	Don't write back
EMSG	E-mail message
EOM	End of message
F2F	Face to face
FAQ	Frequently-asked question(s)
FC	Fingers crossed
FMTYEWTK	Far more than you ever wanted to know

FTBOMH	From the bottom of my heart
FUD	Fear, uncertainty, and doubt
FWIW	For what it's worth
FYI	For your information
G Grin GA	Go ahead
GAL	Get a life
GF	Girlfriend
GL	Good luck
GMAB	Give me a break
GMTA	Great minds think alike
GTSY	Glad to see you
H&K	Hug and kiss
HAGN	Have a good night
HAND	Have a nice day
HHIS	Hanging head in shame
HIG	How's it going?
HT	Hi there
HTH	Hope this helps
IC	I see
IHU	I hear you
ILU or ILY	I love you
IMS	I am sorry
IOW	In other words
IPN	I'm posing naked
ITIGBS	I think I'm going to be sick
IWALU	I will always love you
IYSWIM	If you see what I mean
JIC	Just in case
JK	Just kidding
JTLYK	Just to let you know
KISS	Keep it simple stupid
KIT	Keep in touch
KOTC	Kiss on the cheek
KOTL	Kiss on the lips
KWIM?	Know what I mean?
L8R	Later
LDR	Long-distance relationship
LTNS	Long time no see
LTR	Long-term relationship
LULAB	Love you like a brother
LULAS	Love you like a sister
LUWAMH	Love you with all my heart
LY	Love ya
LY4E	Love ya forever
MorF	Male or female
MOSS	Member of the same sex
MOTOS	Member of the opposite sex
MTF	More to follow

MUSM	Miss you so much
NIFOC	Naked in front of computer
NP or N/P	No problem
NRN	No response necessary
OIC	Oh, I see
OLL	Online love
OTOH	On the other hand
PAW	Parents are watching
PDA	Public display of affection
PM	Private message
PMFJIB	Pardon me for jumping in but...
POAHF	Put on a happy face
::POOF::	Goodbye (leaving the room)
POS	Parent over shoulder
QT	Cutie
RPG	Role-playing games
RSN	Real soon now
RT	Real time
SO	Significant other
SOT	Short on time
SOTMG	Short on time must go
STW	Search the Web
SU	Shut up
SUAKM	Shut up and kiss me
SUP	What's up?
SWAK	Sealed with a kiss
SYS	See you soon
TA	Thanks again
TAFN	That's all for now
TANSTAAFL	There ain't no such thing as a free lunch
TCOY	Take care of yourself
THX	Thanks
TIA	Thanks in advance (used if you post a question and are expecting a helpful reply)
TILII	Tell it like it is
TLK2UL8R	Talk to you later
TMI	Too much information
TNT	Till next time
TOY	Thinking of you
TTFN	Ta-Ta for now
TTT	Thought that, too (when someone types in what you were about to type)
TTYL	Talk to you later
TU	Thank you
TY	Thank you
UW	You're welcome
WAYD	What are you doing?
WB	Welcome back

WBS	Write back soon
WFM	Works for me
WIBNI	Wouldn't it be nice if...
WT?	What/who the?
WTG	Way to go!
WTGP?	Want to go private?
WU?	What's up?
WUF?	Where are you from?
WYSIWYG	What you see is what you get
YBS	You'll be sorry
YW	You're welcome

In order to protect children against sexual predators on the Internet, it is imperative that parents familiarise themselves with the online lingo and concepts as reflected in the abovementioned tables.

2.6 CONCLUSION

In this chapter, an exposition of relevant literature was given. A typology of paedophiles was highlighted, common characteristics of paedophiles were outlined, and possible explanations for the prevalence of paedophilia were discussed. In addition, a broad perspective on paedophilic activities via the Internet, as well as existing preventative measures to curb Internet use for sexual activities with adolescents were given. From the literature review, it can be derived that sexual activities via the Internet is a global phenomenon that deserves to be attended to. This is especially necessary “as computers are becoming more and more a part of our daily lives, and computer literacy is a necessity in today’s computer driven world” (Haupt, 2001:26). Not only is computer literacy a necessity, one must also be familiar with ways that computers, specifically the Internet can be misused by sex predators for sexual purposes. This necessitates education with regards to the potential dangers that the Internet could pose for children. Especially parents and guardians must be familiarised with ways in which paedophiles utilise the Internet in order to gain access to their victims. To be able to protect children, parents and guardians must have adequate knowledge of the content their children may come across on the Internet as well as the possible harmful effect it could have

on them. The only way to prevent innocent children from becoming the victim of a sexual predator is by acting in a pro-active way and preventing paedophiles from gaining access to children via the Internet.

3. RESEARCH DESIGN: METHODOLOGICAL PROCEDURES AND TECHNIQUES

In this chapter, an exposition of the research design of the current study is given. According to Huysamen (1993:10) a research design refers to “the plan or blueprint of the study”, while Dastile (2004:132) states that a research design acts as a guideline, which determines what data collection method will be utilised. When selecting data collection methods, the researcher must provide reasons for the specific choice, and must provide details of the advantages and disadvantages of each of the methods that are selected (Mouton & Marais, 1993:33). Thus, the procedures used in the gathering of the respondents’ information, as well as the techniques used for the analysis of the data, are depicted in this chapter.

3.1 QUALITATIVE RESEARCH

A qualitative approach was used in the current study. In qualitative research, the researcher attempts to attain a first-hand, holistic understanding of the phenomena that is being researched. The aim of qualitative research is to understand social life, as well as the meaning that people attach to everyday life. Thus, qualitative research involves the identification of research participants’ values and beliefs (Fouché & Delport, 2005:74). According to Denzin and Lincoln (1994:2) qualitative researchers attempt to understand meanings that people give to their deeds, or to social phenomena. The idea of qualitative research is to purposefully select research participants who will best answer the research questions and select the research strategy best suited to the research (Fouché, 2005:269). Therefore, it can be stated that the research design is flexible and evolves throughout the research process (Fouché & Delport, 2005:75).

3.2 PROCEDURES

The procedures that were followed during the research will subsequently be discussed.

3.2.1 LITERATURE REVIEW

When one embarks on a research project, one of the first aims should be to find out what research has been conducted regarding the chosen topic (Mouton, 2001:87). Literature reviews are essential, as one learns from, and builds on the research findings of others. The literature review is an indication as to whether the researcher is competent and establishes credibility, as it demonstrates that the researcher is familiar with the field being studied (Neuman, 1997:89).

Essentially the researcher is interested in the latest, most relevant and authoritative scholarship in the field that is being researched. One can thus refer to the literature review as a scholarship review. Furthermore, a literature review is essential in order to ensure that a previous study is not duplicated (Mouton, 2001:87). In addition, it is essential that the literature review indicates gaps in previous research, and that it demonstrates that the research being conducted by the researcher fills a demonstrated need (Delpont & Fouche, 2005:263).

During this research, a thorough literature review, which is presented in Chapter 2 of the current study, was conducted. Usually literature reviews follow at the end of a qualitative study in order to prevent subjectivity (Delpont & Fouche, 2005:264). However, the researcher had to familiarise herself with the subject, as it is a relatively unexplored and new phenomenon in society, especially with respect to the South African context. Limited research regarding paedophilic activities has been conducted in SA. This necessitated the extensive use of Internet articles to conduct this study.

3.2.2 SAMPLING

Sampling refers to a process where cases that are going to be included in a research project are selected (Neuman, 1997:206). It can be referred to as a method of selecting a group of people who represent the entire population (Maxfield & Babbie, 2005:173). The researcher decided to make use of non-probability sampling. According to Strydom and Delpont (2005:328) non-probability sampling methods are normally used in qualitative studies, as the qualitative researcher identifies individuals where the particular processes being studied are most probable to occur. Due to the fact that Internet paedophilia is a contemporary phenomenon, and there is a dearth of knowledge pertaining to the subject, the researcher decided to make use of purposive sampling. This sampling technique is used when cases are chosen with a particular purpose. A researcher utilises it to select distinctive cases that are especially informative (Neuman, 1997:206). When using purposive sampling, the research participants are chosen in accordance with the researcher's own knowledge and opinion about which individuals will be appropriate for research in a specific field. In other words, individuals who have specific knowledge regarding the field being studied are selected (David & Sutton, 2004:152). In accordance with this, Maxfield and Babbie (2005:238) confirm that a purposive sample is based on the judgement of the researcher and is done in accordance to the purpose of the study. This sampling strategy gives the researcher the opportunity to interview individuals who had experienced the subject being researched (Dastile, 2004:138).

In the current study, interviews were conducted with individuals who, due to their occupational positions have knowledge of the *modus operandi* used by the Internet paedophile. Research participants that most likely will have knowledge on preventative measures, which are implemented to curb paedophilic activities via the Internet, were selected. Thus the researcher approached experts in the fields of abnormal sexual behaviour, cyber forensics and Internet legislation. Five of the ten experts that were approached indicated that they were willing to be interviewed. The other

experts that were approached were reluctant to be interviewed, as they were of the opinion that they do not have sufficient knowledge with regards to the field being studied.

Initially the researcher decided to follow purposive sampling with snowball sampling, as the researcher was of the opinion that the experts that were interviewed, would be able to refer the researcher to other research participants, who could provide information pertaining to the study. However, it became evident that due to the dearth of knowledge with regards to Internet paedophilia, the research participants were unable to refer the researcher to other experts. The fact that recognised experts in the field of child abuse could not identify other scholars, academics, professionals or practitioners that could participate in the current study, is a cause for concern. This also highlights the importance of this investigation.

Even though a small number of research subjects were used in this research, the researcher is of the opinion that this study is still viable. Since the researcher is interested in description, and not in generalisation, and description is a key factor in an exploratory study, the limitation with regards to the small sample was addressed (Maxfield & Babbie, 2005:274).

The following experts were interviewed:

- A senior member of the Family, Violence, Child Protection and Sexual Offences Unit (FCS), which resorts under the South African Police Service (SAPS).
- A criminologist who works with the assessment of sexually abused children and has conducted extensive research on pornography and child pornography, locally and abroad.
- A clinical psychologist who specialises in sexology.
- A senior academic in Criminal and Medical Law.
- An IT manager at a Cyber Security Centre.

3.3 MEASURING INSTRUMENT

Fouché (2005:269) states that qualitative researchers are not restricted to a step-by-step plan. In other words, research instruments which best suit the purposes of the study is selected. In this study, the researcher used interviews as a measuring instrument, as it is the most effective way to obtain relevant information from the research participants.

3.3.1 INTERVIEWING PROCEDURE

According to Rogers and Bouey (1996:52) the most popular data collection method used in qualitative research is the interview. In this study, face-to-face interviews were conducted. Hagan (2000:175) provides the following advantages of interviews. The first advantage of interviews is that it provides the researcher with an opportunity to personally interact with the research participants and to obtain detailed information which is not always possible in the case of questionnaires. Secondly, misunderstandings or confusion with regards to interpreting the questions can be dealt with efficiently. Another advantage of face-to-face interviews is that the researcher is in the position to aid the research participants and provide explanations if necessary. It also provides the researcher with the opportunity to probe if the question is not answered satisfactorily. Non-verbal communication can also be observed during a face-to-face interview (David & Sutton, 2004:161).

According to Bailey (1994:175), one of the disadvantages is that interviewing can be costly, especially if field workers must be used. Since only five interviews could be arranged with experts in SA, the researcher conducted the interviews personally.

Another disadvantage, is that the interviewer can have a negative effect on the responses of the interviewee, as certain biases may be present. Aspects such as social background, age and gender are examples of aspects that can have negative influences on the interviewing process. Verbal comments, as

well as the body language of the interviewer may also have an impact on the interview (David & Sutton, 2004:161). In addition to this, Bailey (1994:176) highlights the fact that another disadvantage of interviews is that the researcher can make an error when recording the research participants' answers. To overcome this, the researcher made use of tape recordings and directly transcribed the interviews from the tapes.

Since the interview also offers no assurance of anonymity, as anonymity is impossible when conducting face-to-face interviews (Dastile, 2004:142), the researcher ensured the research participants that the information they provided will only be used for research purposes. In addition to this, all the research participants signed an informed consent form, which stated that the identity and personal details of the research participants would be kept confidential and that it will not be revealed in the research report. An example of the consent form is attached (Appendix A).

3.3.2 THE INTERVIEW SCHEDULE

During this research, semi-structured interviews served to probe in detail particular aspects of the study. Semi-structured interviews are organised around areas of particular importance, while it still allows flexibility regarding the scope and the depth of the interview (Greeff, 2005:292).

The purpose of semi-structured interviews is to gain detailed information concerning the research participants' beliefs or perceptions regarding a specific topic. The flexibility of the semi-structured interview enables the researcher to follow up fascinating, relevant aspects that surface during the interview and enables research subjects to provide a fuller, more detailed image of thoughts and feelings (Greeff, 2005:292). According to David and Sutton (2004:65), the semi-structured interview schedule gives the researcher freedom to ask follow-up questions that are appropriate to issues and concerns that are raised by the research participants. It also provides an opportunity for the research participant to introduce an issue that the researcher did not include in the interview schedule. Since the research

participants in the current study are regarded as experts on the subject under investigation, they were allowed to share their expertise and experience in the field freely.

An interview schedule (Appendix B) was used during the interview as a guideline for the interviewer. It was decided to follow the semi-structured format to ensure that all the relevant aspects were covered during the interview. The questions used in the semi-structured interview schedule are based on the aims of the study, as well as the key issues that were highlighted during the literature review. Open-ended, semi-structured questions were included in the interview schedule. Open-ended questions refer to questions that do not require the research participant to choose between a prescribed set of answers, but allows the participant to provide his own answers. These questions are used in order to gain better insight into the research participant's perspective (David & Sutton, 2004:363). The open-ended questions used in this study are unambiguous, non-judgmental and unbiased (Greeff, 2005:297). It is however, difficult to analyse and categorise the information that is provided when using open-ended questions, as the information is divulged without restraint. Academics view this as the primary limitation of open-ended questions (Maxfield & Babbie, 2005:274).

3.4 THE PROCESS OF INTERVIEWING

As mentioned previously, the interviews involved face-to-face interaction with the research participants. Subsequently the location where the interviews were held, the procedures followed during the interviews, the use of probing, as well as the duration of the interviews will be discussed.

3.4.1 SETTING FOR THE INTERVIEWS

According to Greeff (2005:294), the interview setting must be a place where it is quiet and where no interruptions will occur. This could be at the research participant's home, or in a setting agreed upon by both the researcher and

research subject. The researcher conducted interviews during time slots as agreed upon by the research subjects, and at a venue identified by each of the research participants. Four of the interviews were conducted in the research participants' offices and one in the researcher's office.

3.4.2 PROCEDURES FOLLOWED DURING THE INTERVIEW

Due to the fact that interviews were conducted with only five research participants, the researcher conducted the interviews personally. All the interviews were conducted in Afrikaans as both the researcher and the research participants' preferred language of communication is Afrikaans.

At the beginning of the interview, the research participants were informed about the nature of the study and were given the informed consent form to sign (Appendix A). Dastile (2004:142) states that anonymity occurs when the researcher cannot link a research participant with the data of that person. Taking this into account, it must be noted that face-to-face interaction during interviews makes anonymity impossible. To overcome this, the researcher ensured the research participants that their identities and personal information would be kept confidential and would not be included in the study.

After the introductory comments as explained above, the researcher asked the permission of the research participants to record the interviews. All the research participants gave the researcher permission to record the interviews. According to Mouton and Marais (1991:64) the use of a tape recorder during an interview is advantageous, as it improves the researcher's capacity to recall the information collected during the interview. It helps the researcher to record the full context of the interview. However, tape recordings do have limitations. The research participant can feel uneasy, and this can lead to withdrawal from the interview (Greeff, 2005:298). The tape recorder was thus placed discreetly and not within view of the research participants in order not to interfere with the participation of the research participants.

As mentioned in section 3.3.2, the semi-structured interview schedule was used as a guideline. All the questions were asked and probing was used in order to get the research participants to focus, expand, clarify or further explain their responses. Mouton and Marais (1991:64) postulates that the functions of probing or follow-up questions in qualitative research are to get the research participant to give a more detailed and accurate response to the questions being asked. Probing is usually implemented when the answer to a question does not provide sufficient information for the purposes of the study. Probing also entails structuring the research participant's answers, to ensure that all the themes of the research problem are covered and to reduce irrelevant information.

3.4.3 DURATION OF THE INTERVIEWS

When the semi-structured interview schedule was compiled a time frame of one hour was kept in mind. The time allocation was arranged with every research participant prior to the interview, as all of them are practitioners in their various fields and indicated that they could only manage one consultation hour for the interview. The researcher respected the one hour time slot that was booked with each research participant.

3.5 ETHICAL IMPLICATIONS

Ethical standards have become a central issue in behavioural sciences. Researchers should guarantee that the rights and dignity of research participants are ensured. According to Mouton (2001:243) every research participant has the right to refuse to be interviewed, to refuse to answer any question, as well as the right not to be interviewed when it is inconvenient for them. Consequently certain components that pertain to these ethical implications in the current study will be discussed.

3.5.1 INFORMED CONSENT

David and Sutton (2004:363) state that informed consent refers to the willingness of research subjects to participate in a study. Informed consent can only be attained following the researcher's full disclosure of all relevant aspects pertaining to the research. The information provided to the research participants must be unambiguous and in an understandable language that all the research participants can relate to. The aims, methods and intended uses of the research must be clearly outlined. According to Strydom (2005:59), the purpose of the research, as well as the procedures that will be followed during the research, the possible advantages and disadvantages, as well as the dangers to which respondents may be exposed, should be highlighted.

For the purpose of this study, the researcher gave a consent form to each research participant before the interview was conducted (Appendix A). The researcher explained that there are no preconceived risks or dangers associated with participation in this study and that participants would not be physically or emotionally harmed in any way. They were reminded that they were free to terminate the interview at any stage. It was explained to them that should they wish to withdraw, all data that had been collected would be destroyed immediately. Furthermore, it was pointed out to the research participants that participation was voluntary, that no negative consequences would arise from withdrawal, that the data obtained during the interviews would at all times be treated confidentially, and that all the recorded information would be destroyed as soon as the research was completed.

According to Neuman (1997:453), confidentiality is also applicable to the scenario where information provided by die research participant includes the names and information of other individuals. In such instances, the researcher is obliged to hold it in confidence and keep it secret from the public. Thus, information that can link specific individuals to specific responses cannot be presented in research without the permission of the research participant. In the current study, all the identifying information that can link specific

individuals to specific responses was omitted, or adapted in order to ensure confidentiality and neutrality.

3.5.2 INDUCEMENT

No inducement was offered to the participants for taking part in the research. As the participants that were interviewed are experts in the field of child sexual abuse, the findings of the research will however benefit them. The senior member of the FCS, the criminologist who works with the assessment of sexually abused children, as well as the clinical psychologist who specialises in sexology, for example, needs to be aware of ways in which Internet sexual activities with adolescents can be curbed. It is imperative that they know how to deal with Internet paedophilia in their practices. The senior academic in Criminal and Medical Law might be able to incorporate the findings of the research into lecture material. During the interview, the manager at the Cyber Security Centre also became aware of filtering and blocking software which he was not familiar with. This newly acquired knowledge, as a result of the research, can be to the Centre's advantage.

3.6 DATA ANALYSIS

De Vos (2005:333) states that data analysis refers to bringing structure, order and meaning to the data that was collected. According to Denzin and Lincoln (1994:33), the researcher must construct qualitative interpretations, as nothing speaks for itself. The researcher must act as the interpreter to ensure that the reader understands the phenomenon being studied. The qualitative researcher analyses data by organising it into categories on the basis of concepts, similar features or themes (Neuman, 1997:421).

3.6.1 TECHNIQUES USED TO INTERPRET AND ANALYSE THE DATA

Since qualitative research, especially interviewing is so intense and personal in nature, the researcher must be cautious not to make judgements and must

remain open to the information that is provided during the interview. The process of putting aside one's own beliefs and not making judgements, refers to a technique called bracketing (Dastile, 2004:153).

The recording of analytical insights that take place during data collection refers to the beginning of qualitative analysis. The researcher should decide what instruments will be effective for collecting the data. It is suggested that if, for instance a tape recorder is used, the researcher should ensure that enough cassettes and batteries to last the interview, are at hand (De Vos, 2002:340; De Vos, 2005:336). As mentioned in section 3.4.2, the researcher made use of a tape recorder, and made field notes in order to ensure that the data was collected effectively.

The second step of data analysis refers to the managing or organising of the data. Transcribing the interviews acts as a point of transition between data collection and analysis (De Vos, 2005:336). The researcher organised the data in the current study by transcribing and typing the audio-taped information.

The third step involves the reading and writing of the collected data. After the researcher transcribed the data from the tape recorder in typed form, the researcher read the transcripts repetitively in order to familiarise herself with the information that was gathered. To support this strategy, Agar (in De Vos, 2005:337) insists that a researcher should "read the transcripts in their entirety several times" in order to immerse himself in the details, trying to get a sense of the interview as a whole before breaking it into parts.

The fourth step involves that the researcher has to classify, describe and interpret the gathered data (De Vos, 2005:337). After conducting the interviews and transcribing the data derived from the interviews, the researcher identified categories, and sub-categories. The formation of categories signifies the heart of qualitative data analysis. The researcher identified recurring ideas and patterns of belief that link people's ideas in order to integrate the entire endeavour. Categorising information involves that the

researcher must note regularities with regards to the comments given by the research subjects. Following this, the researcher must interpret the findings, in other words make sense of the data that was gathered during the interviews. Interpretation must be based on a combination of personal views and a social science idea or construction (De Vos, 2005:337). In the current study, the researcher interpreted the information in order to provide the similarities and differences as found during the interviews.

The last step involves that the researcher must present the data by writing a research report (De Vos, 2005:337). According to Strydom (2005:65) the findings of the research must be reported as accurately and objectively as possible: “The information must be formulated and conveyed clearly and unambiguously to avoid or minimise misappropriation by subjects, the general public, and even colleagues.” With regards to this study, the researcher linked the data derived during the interviews to the literature that was reviewed. Subsequently, the researcher analysed the data in order to ascertain if it was useful in fulfilling the aims of the study.

As the researcher is the one who knows best what the limitations in the study are, it must be stated clearly. It is furthermore of great importance to give appropriate recognition to all the resources utilised, and all the people who were consulted, as plagiarism is a serious offence. The plagiarism policy of the University of Pretoria was adhered to and a declaration was included in the beginning of the dissertation. The researcher provides a detailed list of references at the end of the research report. The adapted Harvard method is used as the source reference technique.

3.7 CONCLUSION

In this chapter, the qualitative research design was discussed. In addition, the researcher gave a step-by-step exposition of the procedures that were followed during the research. An overview of the sampling method was given and an explanation for the selection of the sample was specified. Interviewing

procedures were highlighted and the researcher discussed the advantages and disadvantages of interviewing. The ways in which the researcher addressed the disadvantages of interviewing were also explained. Ethical principles pertaining to the study were emphasised and the methods used for data analysis was conversed.

4. EXPOSITION OF THE TRANSCRIBED DATA

According to Greeff (2005:298), researchers can transcribe data after the information was recorded by means of a tape recorder. The researcher can either write down or type the entire interview or story as portrayed by die research participant. In the current study, the researcher transcribed the recorded information from a tape recorder into a typed format.

4.1 DISCUSSION OF FINDINGS

Even though the researcher ensured that the interview schedule was available in Afrikaans and English, all the research participants requested to conduct the interviews in Afrikaans, as their preferred language is Afrikaans.

Translated extracts from the interviews will be presented in this chapter, in other words the answers to the questions that were asked during the interviews will be given in the direct words of the research participants. A linguistic expert translated the extracts for purposes of clarity and scientific significance. The transcribed interviews are attached to the research report (Appendix C-G). Due to the fact that the Afrikaans responses of the research participants (Appendix C-G) are provided verbatimly in the transcripts, the expert had to adapt certain sections of the extracts when translating, in order to ensure that the translations were not content poor and/or to avoid substandard grammar and sentence construction. It must be noted that in order to attain confidentiality, the researcher will refer to all the research participants as 'he'. Thus, for ethical reasons and to limit the possibility that

the research participants may be identified, no gender specific references are used.

Even though useful information was obtained during the interviews, irrelevant information was also forthcoming. Relevant extracts as derived from the interviews, will be presented in this chapter, while the rest of the information can be viewed in the transcriptions.

After transcribing the interviews, it became clear that despite the different professional backgrounds of the research participants, as well as the diverse information and data that were obtained during the interviews, certain repetitive themes emerged. Subsequently, main categories and sub-categories were identified and discussed. Following the discussion of the abovementioned categories and sub-categories, an exposition of the comparable responses as well as the divergent responses that were identified during the study will be given. Interpretations and a discussion of the research participants' responses in each category will be compared with current findings in Chapter 5.

4.2 IDENTIFICATION OF CATEGORIES

The following is an exposition of the main categories and sub-categories that were identified according to the recurrent themes that surfaced during the interviews.

MAIN CATEGORIES	SUB-CATEGORIES
4.2.1 New avenues that paedophiles utilise to approach children for sexual purposes	4.2.1.1 The Internet 4.2.1.2 SMS (Short Messaging System) and MMS (Multimedia Messaging Service)
4.2.2 Prevalence of cases where an individual utilised the Internet to gain access to children for sexual purposes	4.2.2.1 Chat rooms 4.2.2.2 Utilisation of child pornography to gain access to children
4.2.3 Paedophilia	4.2.3.1 Definition of paedophilia and

	<p>child molestation</p> <p>4.2.3.2 Classification of a paedophile</p> <p>4.2.3.3 Female perpetrators</p>
4.2.4 Pornography and child pornography	<p>4.2.4.1 The connection between child pornography and paedophilia</p> <p>4.2.4.2 Paedophiles and their child pornography collections</p> <p>4.2.4.3 Sexual fantasies, child pornography and paedophilia</p> <p>4.2.4.4 Cybersex addiction</p> <p>4.2.4.5 Pornography and violence</p>
4.2.5 South African legislation	<p>4.2.5.1 Child pornography</p> <p>4.2.5.2 Utilisation of the Internet to gain access to children for sexual purposes</p> <p>4.2.5.3 Reporting of cases</p> <p>4.2.5.4 Court cases</p> <p>4.2.5.5 Jurisdiction</p> <p>4.2.5.6 Limitations of legislation</p> <p>4.2.5.7 Limitations of the Criminal Justice System</p>
4.2.6 Preventative measures	<p>4.2.6.1 Parents or caregivers</p> <p>4.2.6.2 Teachers and the curriculum</p> <p>4.2.6.3 Children</p> <p>4.2.6.4 Filtering and blocking software</p> <p>4.2.6.5 Monitoring of the Internet and capacity of the police</p> <p>4.2.6.6 Sex offender register</p> <p>4.2.6.7 Rehabilitation of paedophiles</p>

	4.2.6.8 Social fabric of the community
	4.2.6.9 Moral values of parents and their children
4.2.7 Cyber forensics	4.2.7.1 Deleted images 4.2.7.2 Tracing of perpetrators who uses the Internet to gain access to children for sexual purposes

4.2.1 NEW AVENUES THAT PAEDOPHILES UTILISE TO APPROACH CHILDREN FOR SEXUAL PURPOSES

During the interviews, the researcher asked the research participants whether they are familiar with new avenues that paedophiles utilise to approach children for sexual purposes. The researcher also probed and asked the research participants for their opinion with regards to reasons why paedophiles use these new avenues.

- Research participant E provided the following answer with regards to reasons why paedophiles use new avenues to approach children for sexual purposes: "You see, what is happening at the moment is that previously a paedophile had to wait for his victims on street corners, at cafe's and in video game arcades. Today it is no longer necessary, because there are very few homes which do not have computers or access to the Internet. A boy told me that they have access to the Internet 24/7. In other words 24 hours a day, 7 days a week – 24/7 is the kids' way of saying that. Because kids now have access to the Internet 24/7, it has become so much easier for paedophiles to approach them. 'I am at ease, because my child is on the Internet the whole day, it keeps him off the streets and out of trouble', but parents don't know what the children are looking at".

4.2.1.1 The Internet

When asking the research participants if they were of the opinion that the Internet is a contemporary avenue utilised by individuals to gain access to children, they had diverse opinions. An exposition of some of the opinions follows:

- Research participant B: "I think there are other, easier ways. For example, social interaction with friends and the friends' kids are with them. If you are prone to paedophilia, have a few drinks and there are kids at the party, the chances are much bigger that something will happen than if you are on the Internet".
- Research participant C: "It is a paradise for paedophiles or any other activities, because it is a network. The Internet, it is a whole network, a web of contacts, and of course we will see, from a psychiatric point of view, that it is part of the psychiatric condition of paedophilia. I know, of course, from the work that I have done in the Criminal Law context about paedophilia, they will tell you that it is their sanctuary, the erotica that they perceive as erotica, the whole collection, the whole network, the exchange. That is why they become so sick according to societal opinion, it is literally the enclave of clips that exist on the Internet, that feed, breed and encourage this deviance".
- Research participant E: "Yes, especially in the chat rooms, because the paedophile can pretend to be a child of similar age or an adolescent of similar age and there is no way that the child will know any different. This is then how they attract their victims, because they are interested in the same things as the child. This is where it starts. It is the grooming process, and it will go further until it reaches sexual activities".

The following two responses of research participant E were added at the end of the interview when the researcher asked if the research participant

would like to add anything else: "What is very sad for me is that people don't acknowledge the enormity of this problem. They think that this crime is not that bad, but once they work with 30 cases a month of child molesting and the raping of babies as young as 18 months, then they must tell me that this is not a problem. The people who abuse these kids do not come up with these kinky ideas all by themselves. Because people don't have a need for these things, they don't go and search for what is available on the Internet".

"The Internet is not all bad, but it is true that it has its bad components. This is very negative for your adolescent, because he thinks that he is an adult, but does not have the insight of an adult yet. Therefore these things that will be done to him and that he will be exposed to will have a huge impact on his later years. When does paedophilia start – the fixated paedophile? It starts at 15, 16. He is still very young, inexperienced, very naïve, has maybe seen pornography and is now practicing it with a girl, but he is not successful. She makes a comment that he will never be a man with such a small willy and that he won't get anywhere with it. Because he got hurt within his peer group, he now moves towards kids. He now moves towards a child 8 or 9 years of age, who is not as critical, whom he can easily bribe and who will be easier to have under his control. That is when he goes into hiding and becomes fixated on children. If he has messed with kids by the time he is 16 to 21, he is your fixated paedophile. Then we cannot rehabilitate him".

4.2.1.2 SMS (Short Messaging System) and MMS (Multimedia Messaging Service)

Three of the research participants referred to sms's and mms's as a new avenue that paedophiles utilise to approach children for sexual purposes. An exposition of their views follows.

- Research participant A: "I can think that sms's can also be used".

- Research participant B: "I think that other things that are not necessarily acknowledged, are things like sms's, which also include electronic media. It's not necessarily the Internet, but I am aware of sms's that intimidate or exploit children with suggestions for sexual interaction. Not necessarily only paedophilia, but various other situations".
- Research participant D: "Yes, cellphones, sms's, mms's".

4.2.2 PREVALENCE OF CASES WHERE AN INDIVIDUAL UTILISED THE INTERNET TO GAIN ACCESS TO CHILDREN FOR SEXUAL PURPOSES

The research participants were asked whether they have dealt with cases in their practices, where an individual utilised the Internet to gain access to children for sexual purposes.

- Research participant B: "No". The researcher probed by asking the research participant's opinion on why statistics of children who were approached via the Internet for sexual purposes are so high in England and in America. The research participant indicated that he would have to take an educated guess, as he has not dealt with any such cases in his practice. The research participant replied as follows:
"To me, those people are a bit more advanced with regards to electronic media. Here you have to pay, and it is quite expensive. In America, for example, you don't pay for a local call if you connect to the Internet. They have a dedicated Internet line, because their server is in the area, which means they are connected to the Internet the whole day. Here by us the statistics of people with ADSL lines and those type of things are very low".

4.2.2.1 Chat rooms

It must be noted that only one research participant has dealt with a case where a child was approached by a paedophile in a chat room.

- Research participant D: "To make contact via the Internet is not a crime and the SAPS, according to the Constitution, can only become involved once a crime has been committed. No crime has been committed if a person only contacts a child, in other words he or she makes contact and only chats with them, but the moment they make a suggestion, it falls under the Sexual Offences Act and someone must report it. I am not aware of any such crime having been committed in this manner, and was reported to us in South Africa".
- Research participant E: When asked if he has dealt with cases where an individual utilised the Internet to gain access to children, he responded: "Yes, specifically in a chat room and where a meeting was scheduled to meet with the child".

4.2.2.2 Child pornography

Subsequently, an exposition of cases where research participants dealt with Internet child pornography, will be given.

- Research participant A: "Very few of these cases have come to us. Maybe one or two. We know the police get many. If we get a case like this, it is pretty straight forward – people who downloaded pornography".
- Research participant B: "I've worked with a criminal, and am currently working with another criminal who uses Internet pornography, but not to make contact with children per se. He does however use the visual material that is posted on the Internet by kids or adults, but it is not like chat lines, et cetera. He is not involved in that".
- Research participant D: "Yes, child pornography is abundant".

4.2.3 PAEDOPHILIA

A discussion of the different definitions of paedophilia and child molestation, the classification of paedophiles as well as the prevalence of female perpetrators will follow.

4.2.3.1 Definition of paedophilia and child molestation

From the interviews it became evident that there is controversy regarding the definition of paedophilia, and specifically child molestation. Research participants B, C and D added their views regarding the definition of paedophilia and child molestation. An exposition of these views follows:

- Research participant B: "The question now is whether molestation and paedophilia are similar. A mother or father who molests their child is not necessarily a paedophile. It can be because the father carries anger towards the mother, because she is not sexually involved, or the father has an intense, perverted love relationship with his daughter. Paedophilia is a deviance. 'Pedo' means that he can only make himself count sexually when he is with children. If we, for example, look at incest, where a man is fixated on stories about the mother seducing the son. The man is a highly qualified engineer. His mother abandoned the family when he was twelve years old. In the time that he went through his sexual development, his mother rejected them and now he returns, because he is looking for a mother figure. He can't realise it properly and is looking for a substitute for sexual contact. There are many such examples on the Internet".
- Research participant C: "I must say immediately that a person must look clearly at the psychiatric classification of paedophilia. The nature of the Internet is one thing, but the nature of paedophilia is something different. Therefore you must be very sure, because I often look at popular media which labels people as paedophiles and it is not always certain. I work scientifically according to the classification of the DSM IV and I think it is

important. This in itself is a bit of a grey area. If you look at the DSM IV, paedophilia is described as an unnatural attraction to children under a certain age – there must be an incidence of at least six months or more, and even within that classification, I mean I pay strict attention to the introduction to the DSM IV where it is said that it is only a classification system, and it is very helpful to look at other psychiatric works like Kaplan and Sadock's Synopsis of Psychiatry. I know that it is used in conjunction with the DSM IV and I don't think that we should only rely on the DSM IV".

- Research participant D: "There is no such thing as molestation. Go and look up the word molestation in the dictionary. You do not use that word within a million kilometer radius of where I am. If I mess up your hair it is molestation, if I hold your pen or hinder or bother you, it is molestation. Molestation, some see it as physical molestation, a physical attack, others see neglect also as molestation. If you go to the police's website – www.saps.gov.za – go and look at the children's section and it will give you a drop-down to FCS. There it will provide you with a bunch of things, a list of misdemeanors, that there is no such thing as molestation. We talk about rape, incest, and sexual assault – Sexual Offences Act stuff. We are talking about specific things".

4.2.3.2 Classification of a paedophile

In order to be classified as a paedophile, the individual needs to be clinically evaluated in a psychiatric institution. Two research participants referred to the classification of the paedophile. The research participants' comments regarding the classification of paedophiles were as follows:

- Research participant C: "Actually, how it usually works is an expensive process, but it happens every day in the courts. If you are accused, mostly of a serious crime where violence is involved, so we are talking about a manifestation of paedophilia, rape or murder, or even manslaughter, and it is alleged at the very beginning of the case during the pleading procedure,

a magistrate can refer such a person for a 30-day observation period. During those 30 days, a team of psychiatrists will evaluate you and they will usually form a diagnosis in terms of the DSM IV. What they will then tell you is that they think this person is a paedophile, but the paedophilia was of such nature that the person was not accountable when he committed the crime. That is the purpose of referring for observation and it also counts for people who are mentally unwell. Things like these are grey areas. Then a team, and clinical psychologists may take part in this process – they must determine if this person can stand trial regardless of what his mental condition was when he committed the crime. Can he stand trial? Can he understand what it is about? Number two, what was the level of his accountability when he committed the crime”?

- Research participant D: "Yes, you must keep in mind that in order to be classified as a paedophile, you need to be classified at for example Weskoppies by a psychiatrist or psychologist. To classify someone after two or three offences with children is dangerous. It is dangerous to label someone as such”.

"I've been in the police now for more than 20 years and I have investigated many crimes personally. I am not aware of it – there can be - that there has ever been any references to places such as Weskoppies or any other institutions to be classified as a paedophile”.

4.2.3.3 Female perpetrators

The majority of literature, for instance Finkelhor and Araji (1986:286) and Bartol (1999:295), defines paedophilia in terms of a male only phenomenon. Normally nothing is mentioned regarding female perpetrators. In view of this, the researcher is of the opinion that the following information derived from the interview with research participant E is important and might shed some light on the involvement of females in paedophilia.

- Research participant E: "We receive few cases that are reported, but I want to tell you that mothers sexually abusing their sons are much higher than we think. Why do I say that? I have evidence for saying this. The mother is the primary caregiver, in other words she nurtures the child. When the child falls ill, she's the one taking the child to the doctor. If she pushed her finger up the child's anus and it is swollen or red, she simply would not take the child to the doctor at that time. Boys are also not as prone to infection as girls are. It will be difficult to notice sexual abuse if the mother sucks on the boy's penis or puts it inside her. They get away with it much easier and such cases are not prevalent. In the six years that I've been working, six to eight such cases have however been reported".

4.2.4 PORNOGRAPHY AND CHILD PORNOGRAPHY

Subsequently a description of all the factors pertaining to pornography and child pornography that were discussed during the interviews will be given. The focus will be on the connection between child pornography on the Internet and paedophilia, paedophiles and their pornographic collections, the correlation between sexual fantasies, cybersex addiction, as well as the possible connection between pornography and violence. These themes originated from probing questions that were asked by the researcher. With regards to the question whether the research participants knew of any cases where an individual utilised the Internet to gain access to children, some of the research participants referred to child pornography on the Internet and how it is used by paedophiles to gain access to children.

4.2.4.1 The connection between child pornography on the Internet and paedophilia

An exposition of the answers given to the question whether a link exists between child pornography and the abuse of children follows in the next section.

- Research participant B: The researcher used a probing question and asked whether the research participant is of the opinion that paedophiles use child pornography as a stimulus. He responded as follows: "No, I think a paedophile is somebody totally different from an Internet based cybersex addiction. For me, a paedophile is someone who would experience a sexual deed with a child as satisfying and won't become stimulated by the Internet. It won't do much for him. They are looking for that small child. There is another psychological aspect involved".

The researcher probed and asked research participant B whether he is of the opinion that child sexual abuse forms part of the production of child pornography. He stated the following: "The fact is that I think that those children, at the age when they are abused, are mostly six, seven, eight years old. I think that those children do not possess the emotional and intellectual ability to know what is happening to them. In other words, the adult, who is supposed to know better, forces and manipulates the child, and this is obviously totally wrong".

- Research participant E: "Paedophiles use pornography to tell kids that there is nothing wrong with adults having sex with children. 'Look, it is on video, it is on the Internet. If it was illegal, it wouldn't have been available'. This is the myth, the argument people use to lure kids. Child pornography is evidence of a child who's been molested. So, how can this be a victimless crime? Just to make the stuff, victims are created".

"I don't believe that there is a man who comes up with these things by himself. He gets his ideas from videos, these books and all, and then he might elaborate on that idea. I don't know if you've seen pornography, but these children who are having sex like adults are the most beautiful kids and their little faces beam, and that is what is so sad. If a paedophile shows this to another child, he would be saying: 'Look how happy this little girl is, don't you think you would like it? Let's try and you can tell me to

stop if you don't enjoy it'. Paedophiles and child molesters use pornography to condition their victims to have sex with adults”.

"Naturally, children are more vulnerable because they are being dominated – I am the older person. Children are naturally pleasing, especially children who have been neglected and in need of love and attention. They really want to please someone. If you want to have sex with them, their pleasing nature and naivety will cause them to do it, because at least then they will receive love and attention from you. This is part of the grooming process. First they show the children the pornography. I now call it light and serious pornography. They start with the 'Sunday school pornography'. You can't stay happy by looking at still pictures. Children are so vulnerable, because they don't easily resist and speak up. They are conditioned to think that adults know what they are talking about. A child is a sexual being from birth. A child is expected to satisfy someone else's sexual needs, but he is not ready for that, he is not at that level of development yet. I call them my 'rag-children'. They say auntie, my body has been used, everybody can see I have been used”.

4.2.4.2 Paedophiles and their child pornography collections

- Research participant B: While probing, the researcher made the following statement: Some researchers have found that paedophiles have an extensive collection of child pornography. The research participant reacted as follows: “Yes, I believe so, but it is not where their primary satisfaction lies. It is a stimulant, but not their primary satisfaction. I may be wrong in my opinion on this, but this is what I've seen in practice. A paedophile is a person who surrounds himself with children. They become the youth leaders and play such roles. They ensure that they have interaction with children”.

4.2.4.3 Sexual fantasies, child pornography and paedophilia

The following became evident when discussing the possible correlation between sexual fantasies, child pornography and paedophilia.

- Research participant C: "You can, for example, see that if you study the history of many paedophiles, they start at first as voyeurs, when they test the waters. They will for example – and this does not count only for paedophiles, but also for people with different deviances – experience the whole paedophilic experience at first as a fantasy. You can sit alone in a room somewhere and have access to the whole world. The first entrance is through the world of fantasy and then the next step, when voyeurism is no longer enough, the exhibitionism. You could find that such a person would expose himself to young children and then the next steps will follow – those steps, the voyeur and exhibitionist are already criminal, but it is viewed as a low intensity crime, but it usually result in molestation, and then we are talking about indecent assault within the South African context, and also rape and other things connected with this”.

"Many times we can see that the world of a paedophile is one of fantasy and that fantasy becomes problematic, because the law does not punish thoughts, there must be an act, but those fantasies dissolve and many times are acted out. I think that is why this issue of the Internet is such an unbelievable danger, because it stimulates the fantasy”.

"Very few paedophiles succeed in controlling it and many times paedophiles have told me that they were accused of indecent assault, child molestation, rape, and those things, and that they were only living out their fantasies”.

4.2.4.4 Cybersex addiction

The following answer was given as a response to the question whether child pornography predisposes individuals to commit acts of paedophilia:

- Research participant B: "Cybersex addicts are precisely those people who cannot necessarily imprint their fantasies and needs on real life models. The Internet is an impersonal, anonymous satisfaction, and it is much easier available than having to go through the trouble of approaching someone. Someone who does this on the Internet has more of a problem interacting. It is easier to interact on this anonymous and impersonal level, but I don't think that someone who looks at this on the Internet again and again would necessarily have a greater propensity to do this in real life".

"At one stage I gave a lecture on cybersex addiction and in my research I found that in 2001 Reuters reported that in two years sex sites grew from 22 million to 28 million on the Internet".

4.2.4.5 Pornography and violence

The following opinions were given with regard to the correlation between child pornography and violence:

- Research participant B: "Is pornography bad for people? Are there more sexual deviances in people who look at pornography? That research has never been proved affirmative".
- Research participant C: "Pornography, per se, is not prohibited, except pornography as stated in the Films and Publications Act, where it is about serious physical violence, especially to women, pornography depicting bestiality and child pornography. You are not even allowed to have it in your possession".
- Research participant D: "No, there are people who look at child pornography and would never come near a child and then there are many people who indecently assault and rape children, but who are never really paedophiles and who never came close to child pornography".

- Research participant E: "I read about incest the other day, why fathers and stepfathers molest their children, and I know one of the main reasons is that they suffer from an inferiority complex when their wives do not want to have sex with them. They feel rejected, and they condone their behaviour by saying that at least they are not going to prostitutes. 'I will rather do it with my adolescent, sexually maturing child'. Now, men have such easy access, even in their own homes, to the Internet and pornography on the Internet. They already feel rejected by their wives and now they think that they might as well look at sex videos on the television or at something on the Internet, which then stimulates them. This now gives them an outlet and it is then that the maturing child becomes a convenient substitute".

"The technology contributes to making it easier for paedophiles to reach children and for parents to reach children. People, who say that it isn't a problem, send them to me. It is a major problem. I do about 1 000 assessments annually of children who were sexually molested. When I have an interview with the parents, my first question is: Does the child have access to pornography? Is there any pornography in the home? Of those 1 000 assessments, it is indicative that in 60% of the cases, pornography played a role. At my own practice it is one of the standard questions, and the standard answer to that is usually 'yes.' The wife would usually then say that they don't have books or videos in the house, but she knows that her husband and children surf on the Internet. It is the standard answer that I get. It comes down to the Internet being one of the tools being used to commit sexual crimes. Pornography, to me, is really one of the tools being used to commit sexual crimes".

4.2.5 SOUTH AFRICAN LEGISLATION

Responses with regard to South African legislation pertaining to child pornography and sexual activities with adolescents via the Internet will now be highlighted. Research participant D was actively involved in the Amendments

of the Films and Publications Act. The following is his point of view regarding the amended Act.

- Research participant D: "The Films and Publications Act is the best in the world. What happened there is that there is an Interpol group of specialists for crimes against children, and we looked at the legislation in one of the sub-groups. This country, for example, said that it has a gap in its legislation and thus they identified certain gaps. I came back with all that information. I was part of the group – three lawyers and myself who composed that law. As a result of my bringing that information with all the gaps, for example, the written word, other countries say that if you don't have the child, but you have the child pornography, you can't prosecute, because there is no victim. We have everything included: sketches, photocopies, written word – all the things that other countries had problems with, we drafted in. The same counts for the obligation to report it to the SAPS – Article 27. There are only about five countries that have an obligation like that".

4.2.5.1 Child pornography

The following responses were derived when asking if the research participants are familiar with legislation pertaining to child pornography.

- Research participant A: "All I know is that you are not allowed to have it – child pornography photos on your computer".
- Research participant B: "I know about laws pertaining to child pornography".
- Research participant C: "The initial argument people use, and that is what paedophiles say: 'Why do you criminalise this, when I am an adult, sitting in my house with the doors locked. I'm not bothering anyone, I am simply looking at child pornography and yet that is prohibited'. In other words, the

issue is about having freedom of speech. You have the right to freedom of expression, but no right is absolute and this can be limited if it is reasonable and acceptable within a democratic society. That is exactly what the Act states. In these cases, since it is unacceptable and since the consequences and the manifestation thereof are unacceptable, it is limited. That is why there are constitutional limitations on average rights that you would have in order to own pornography or to watch it”.

“I think the mechanisms are in place. By trial and error we will reach a point, and remember that our Constitution also makes provision for this and it is very strong when we have a problem, for example with child pornography, then we can look at another legal system in the world to come to a conclusion. We have to look at international law, but we may also look at other international jurisdictions. So, if they have a good solution in America, then we can use it in our law. It is very strong. Our Constitution provides for that in Article 39. So I am not worried about that. When they initially brought in the definition for child pornography in the legislation, it was insufficient and they had to mould it to the Internet language to include all principles. That is how we do it. To me it is about the aptitude of these people. I also think that there is great international co-operation, because it is an international problem, not only a national problem”.

4.2.5.2 Sexual activities with adolescents via the Internet

The research participants were asked if they were aware of South African legislation with regards to sexual activities with adolescents via the Internet. They were also asked for their opinions regarding the legislation.

- Research participant A: “I think that the law is there, but it is open for interpretation”.

- Research participant B: "I am not aware of any law related to Internet paedophilia, but I suppose that it would be the same if I make an inappropriate suggestion to an under-aged child".
- Research participant D: "It is the Sexual Offences Act and at this stage the Sexual Offences Bill, the Concept Act on Sexual Offences is not through yet. We are still struggling. I think they started writing this in 1996, 1997".

Research participant D was probed by being asked whether the new Act will be sufficient to address sexual activities with adolescents via the Internet. He was the only one to whom the question was asked, as he did not elaborate on the effectiveness of the legislation that he referred to. His reply was: "Yes, this and the Child Justice Bill, Children's Bill".

4.2.5.3 Court cases

The research participant who is a law expert was asked whether he has dealt with court cases pertaining to child pornography, and/or cases involving the use of the Internet to gain access to children for sexual purposes. A discussion of these court cases follows:

- Research participant C: "I mean recently, we had in our legal history the De Reuck case, where De Reuck boarded with Leon van Nierop, and quite a number of child pornography video tapes and material were confiscated. He claimed that he was not a paedophile, that he did this for research. He did not succeed. He was found guilty, appealed and it was rejected. He then went to the Constitutional Court and they also rejected it and said that it is unacceptable. The rights and dignity of children weigh heavier than the right you have to your privacy. He pleaded guilty after this, and the case was referred back to the court and he was sentenced. He was fined with, I think, R10 000. But still, until today, nobody knows whether he is a paedophile or not. This is what makes this defence very difficult".

"If I, for instance, do research and I say: 'But here it is. I am registered, like you. Here are all my stuff and my promoter knows about this', of course they would see this. What a person needs for a conviction is intention. It is important, in other words to know that what you do is wrong. People who are ignorant and who do not have the intent to use child pornography for sexual purposes are not touched by the Act".

When asking the research participant if he was aware of any reported court cases where the Internet was used to gain access to children for sexual purposes, he responded as follows:

"I am not aware of any reported court cases. Not all cases, District Court and Regional Court cases where most cases are heard, are reported. It is mostly Supreme Court cases which include, the High Court, the Appeal Division and the Constitutional Court. These are mostly the cases, which are reported in our court reports. A case is only reported if it goes to appeal or for revision from the District Court or Regional Court. The Regional Court and the Court specifically for Sexual Crimes are also a Regional Court and very few cases are reported. The fact that it is not reported, doesn't mean that it doesn't go to trial. There are many such cases, just not many reported cases. It is also a problem for us. Another thing is that, because it is so atrocious, it is usually heard in camera. Usually the children also have to testify and they have to be protected. There are specific procedures which protect them. The press has no access to these cases, with good reason. It is however a double-edged sword. It protects the children, but at the same time it also protects the identity of the paedophile".

4.2.5.4 Jurisdiction

When discussing the adequateness of legislation, the researcher used probing to determine if the research participants were of the opinion that jurisdiction in a case can pose to be a problem when prosecuting child pornography and Internet paedophilia cases.

- Research participant C: "Jurisdiction is a problem, but it is an aspect that is relatively easily determined, because it is a procedural event. There are usually international extradition agreements. This is a problem, because where do you charge the person? The place where he is arrested or the place where the crime is committed, because the Internet is without borders. Usually, it is easily resolved within procedural events, and if there really is an issue about jurisdiction, there usually is an extradition agreement, but usually it is required that the person must have done something. We had a few cases of an Australian who was extradited to SA where he committed paedophilic crimes. Usually you are tried in the jurisdiction where you were caught with the pornographic material. It doesn't matter, like De Reuck, whether I sit here and have access to a Website that is registered and operated in England, it will be tried here. If he was there, they would either arrest him there or extradite him. It depends. How it works is that if a person committed the crimes here, you would usually be charged in the place where the crime was committed regardless of your citizenship. If you are on a ship, you will be under the law of the flag of the ship. This makes it more difficult with the Internet, but the Internet-law, especially with reference to Internet pornography, is usually contained in that specific jurisdiction where the crime was committed. Thus, it usually isn't a problem".
- Research participant D: "Cross-border, extra-territorial legislation: Article 30(A) – they are talking about if a guy commits a crime in another country and he runs back to SA, then we can charge him in SA. We are one of only a handful in the world that has this".

When asking the research participant if he thought that jurisdiction can be problematic, he replied as follows: "No, if the person goes to Lesotho or England or wherever, and he abuses children there, we obtain the information through Interpol, or other ways through which it is brought to our attention, then we can charge him for the production of child pornography in that country and he can be tried in South Africa".

4.2.5.5 Limitations of legislation

The research participants identified the following limitations in current legislation:

- Research participant A: "I am of the opinion that to a large extent, it is inadequate. The first problem you have is that it is very easy for someone to pretend that he is a child. That total anonymity that you have on the Internet makes it very difficult for you to really know who is on the other side. There is nothing that stops you. It makes it easy".
- Research participant B: "No, because I think that everyone has Internet access. There is no way to determine that, you can simply say that you are older than 18. There is no way that it can be controlled".
"The interpretation of the Law is very peculiar. You can have sex with a minor. If that person consents, then it isn't necessarily a crime. Even under 16, but not under 12 and so. Girls are entitled to go to any clinic for contraception from the age of 12 and they can't be refused. The average age, in this country of ours, for girls to become sexually active is 12 years of age. This includes all race groups. It is not exclusively in the white society only. They can enter a relationship and if they consent, it no longer is against the law. The law is only there for someone who complains about the incident".
- Research participant C: "I am critical towards the legal system and I am not saying that the legal system is perfect. Not at all. There is a lot that can be improved and a lot of problems – infrastructural and economical problems, like not having enough money, not enough resources being made available. It hampers the justice system and it can be 100% improved. But the idea that the legal system is a magical entity, you can send limited messages with the legal system with regards to sentencing, but you can't really reform a society. That reform has to come from the social setting being addressed by people like criminologists, psychologists,

social workers, and I think that a person must go and look in detail at the lack and absence of it. I mean, if I look at previous years when there were also a serious neglect of social workers, there was however to some extent a good system in place, and incidents that took place earlier, caused many people to be exposed. If you can't even get to a family where there are suspicions, it will only slumber and I think that is the thing".

- Research participant E: "I think that the Act that regulates child pornography or pornography in general has so many loopholes that it doesn't even deserve the name Act".

"That is why I say that our law has so many loopholes. You know that child pornography is against the law, but if a website is closed here, then people can go and open it in another place, for example Namibia".

"... because you know so many of these Websites, if you go into it, it says that there is an 18 year age restriction, but how do they check it"?

4.2.5.6 Limitations of the Criminal Justice System

The following opinions regarding the limitations within the Criminal Justice System were given when the effectiveness of legislation was discussed:

- Research participant C: "This is what people don't understand. They vehemently criticise the legal system, but people must remember that the legal system only kicks in once a crime has been committed. A child has already been molested, a child has already been raped, already someone has been murdered and only now the legal system kicks in. The police come out, a charge is made, someone is arrested and there is a trial. All it does is to process the aftermath and now people say that the law should do more to discourage people, but the law can only do so much".

"Many things are reported, but it doesn't get followed up, and that is the legal system and the police's fault".

"The training to police these Internet crimes or computer crimes must be sharpened and it is happening, but I think that it must also be improved. If you read the ACLU v Reno case, you will find the Internet to be such a wonderful thing, that you don't want to limit it, and it is extremely well described in the case, but on the other side it also has its evils. Legislation is easy, because a person can change it and there have been two changes in 1999 and 2004 – in how people experience the different forms of pornography and child pornography. In that sense there has to be improvements. I think the system is adequate, but the application thereof and the knowledge sometimes is lacking".

4.2.6 PREVENTATIVE MEASURES

Regarding existing preventative measures to curb the use of the Internet for the enticement of adolescents for sexual purposes the research participants responded as follows:

- Research participant C: "I certainly don't think that it is adequate at all. It is not as though people identify themselves as paedophiles. It is rather a problem – they are usually in denial about this. There is no proper protection for children. The stigmatising of it, the law enforcement and these types of things are not optimal. There are people like this, and I don't want to disparage people who do good work within the context of the Children's law and I think a person needs to say that. The police are in some aspects very proficient, but then there are also the times when there is a lack of law enforcement, a lack of reporting, a lack of supporting services, and stigmatising. It happens sometimes, but people don't want to talk about it".

4.2.6.1 Parents or caregivers

The following recommendations were made with regards to preventative measures pertaining to parents and/or caregivers:

- Research participant B: "I think that a person can make the parents more aware, but at the end of the day I don't think it will help. You know, I have two children and I see many parents who have no control over what the children look at on the Internet. They can recall the history and see what was looked at, and I have had many such cases where parents went onto the Internet and then they see these sites of a sexual nature. Many times a wife will suspect her husband and in the meantime it is the adolescent son who went in on these sites. There isn't a way that you have any control, except if you have a firewall in your Internet system, which blocks anything to do with the hit-word sex. My experience is that children know much more about the Internet than their parents and they know how to bypass these things".
- Research participant C: The following comment refers to the responsibilities that parents and/or caregivers have with regards to the protection of their children from harmful content, as well as harmful contacts that they may gain access to via the Internet: "At the moment, according to the old Act, if a girl is under the age of 16 years and a boy under the age of 19 years, it falls within those borders where it might be a statutory crime. But the new Concept Act makes provision for it if you allow it, except if you force a person under the age of 18 – in other words a child – to watch pornographic material, then it is a crime. Not only if you physically do this, in other words force a person, but also if parents allow this to happen, then it is a crime. Parents, of course, have an exceptional legal obligation towards their children to protect them, and if they neglect this by allowing their children to be assaulted, abused or exposed to pornography, they can be prosecuted. This is then punishable by law and neglect is sufficient. You can neglect willfully, if you know what is

happening and you do nothing, or you are simply careless and imperceptive of that, maybe then you can be prosecuted as well. So, all the things are there to form a framework for protection”.

- Research participant D: "Good, now we have to go and look at the Internet not having any borders. There are no international laws pertaining to this. In order to put actions into place - there are thousands, millions of points in SA with access to the Internet - so there isn't a way that you can really limit it. The only way is by presenting lectures and talks. There are hints on the SAPS's Webpage and parents' responsibility regarding access to the Internet – the supervision and control thereof”.

“Another thing is that parents must monitor their children's access to the Internet. Now that is difficult. You have Nanny and such things on your computer at home where your children have access between six and seven, when you are at home. But four o'clock, when they get home, they quickly go to the next door neighbour and they have access there. Another problem is that children are dropped off at the square after school and they hang around for a half an hour or so. There are a lot of Internet cafe's, they quickly go in, pay a few rand, go onto the Internet and go home. Today, with all the drugs and things, and their entrepreneurial skills, children make money, above and beyond the pocket money from their parents”.

“I think that making the public aware, for example, is not good enough. Parents can't be expected to take responsibility for their children's upbringing when they are not informed about what is currently available to their children – the temptations that are there”.

- Research participant E: "Parents now think that if there is no pornography in their homes, their children won't be exposed to it and that is not true, because any one of their friends can have pornography. So, it is much better to make your child aware of these things and to show them what

impact it could have on their lives and their behaviour, and then we have to teach them right from wrong and the consequences of that. How can parents educate their children if they themselves are ignorant”?

"A 'key-child' is a child whose parents are both working and the key is left somewhere for him to enter his home in the afternoon. There is therefore no supervision and brother and sister are alone for the whole afternoon. These children are now in their adolescent years and their hormones are rampant and it is wonderful, because they have 24/7 access to the Internet and they sit and look at these things. Again parents take the road of least resistance, and bury their heads in the sand like an ostrich. They would rather not know what their children are looking at on the Internet. As long as the child is happy and he can keep himself busy – and the parents have now ensured that he doesn't hang around arcades where paedophiles can reach him – he will be safe in his family home. I am writing in my new book about the crime and all these things that are happening on the outside, and children who are molested and parents think that it is that guy who stops her child in the park, rapes and sexually molests her, et cetera. At night we lock our doors and we think that we got rid of the crime out there, but our poor children are locked up with the crime inside their own homes”.

4.2.6.2 Teachers and the school curriculum

According to one of the research participants, certain amendments within the school curriculum should be forthcoming to enable teachers to prepare and educate children with regards to harmful content and contacts on the Internet.

- Research participant E: "There is not a subject at school and I say in our curriculum, and parents are up in arms about the outcome-based education system, but I feel that it gives us the opportunity to bring in subjects that we didn't have when we were kids and which didn't prepare us for parenting. I think it is the most difficult task in the world. If you use your own upbringing as an example to raise your kids, and your example wasn't a good one, it becomes a vicious circle. You pass that which you have learned from your parents, and which wasn't good, on to your

children, and in turn they will pass it on to their children. So, this outcome-based education system is an opportunity to bring in such things, like the impact that the media can have with all its facets, not just the Internet, but there are all these sms's that are being sent, to educate children about what is happening on the Internet, and how easy it is for a paedophile to make contact without you even knowing it. To have respect for other people's bodies – then we won't have this. We have an unbelievable increase in date rape. We get more and more men being raped – this year we've had three – where men came to us. Children are now learning to do their own finances – adding, deducting and monetary values. I can't see why they can't also learn about respecting other's bodies. It doesn't have to come from a specific religious point of view. I think the Hindu's and the Moslems respect each other's bodies. If we say that parents must take responsibility for their children's behaviour, then we must give them the tools. We must educate them about what is happening out there”.

4.2.6.3 Awareness campaigns directed at children

The research participants' opinions regarding awareness campaigns directed at children were as follows:

- Research participant B: “My question here is just, if you make children aware of that, won't you just stimulate them”?
- Research participant C: "It comes back to the level of people's education. A lot of this you will realise, and we've seen it, that children who've been molested by their parents, especially young girls or young boys who've been molested by their fathers, for instance don't know until a certain age that it is wrong”.

4.2.6.4 Filtering and blocking software

When discussing existing preventative measures for curbing the use of the Internet for the enticement of adolescents for sexual purposes, the researcher used probing to ask research participant A, the IT (Information Technology) expert if he is aware of filtering and blocking software that can be installed as a preventative measurement. An exposition of his answer will now be highlighted.

- Research participant A: "Well, I know of such things. Cybercop is one of those programmes. Cybercop is easily available. I haven't worked much with it, but I know it exists. You must tell him that the following websites are blocked. You must give him a list of blocked Websites, a list of blocked Web - chat rooms – such things that you can't go to, but these things can't really prevent you if you want to go to another place which isn't on his list. The big problem is that it won't work with pictures. There is too much information and it also won't work in some of the games rooms. Sometimes it can't reach the content fully. It is different than normal text. He must actually understand how the games rooms context works before he can interpret it and not all the programmes can interpret it. Another problem is that it slows down your computer, especially if there is a lot of content and he has to search through all this content. It will also prevent you to get some valuable information".

4.2.6.5 Monitoring of the Internet and capacity of the police

One research participant, participant A gave an exposition regarding the possibility of monitoring the Internet. This response, as well as opinions with regards to the capacity of the police, follows:

- Research participant A: "I can tell you about an interesting thing that I've seen in America now. One of the things that parents there constructed and are talking about, is a way to put a piece of equipment next to the

computer to monitor exactly what happens. Someone from the police can, for example, remotely view what is happening and in a separate picture he can talk to the person who is on the Internet and is chatting. They are doing this to try and catch guys who are in the games rooms stalking people. The police officer, who has the knowledge and experience, can now see what is happening from wherever he is. Then he can tell the child, or whoever is on the computer, to answer it in that way or to not answer, or to do something. All that information is then captured so that in the future should it need to be used, the evidence is there. It sometimes happens that parents suspect something and report it. The child being monitored doesn't always know this, but the parents do".

When the researcher asked the research participant whether it would be possible for the SAPS to conduct similar monitoring actions, he replied as follows: "We have a big problem with capacity in the police force".

The research participant gave the following reply when asked if the equipment used to do the monitoring could be used after attending a short course or training session: "No, it is a bit specialised".

The researcher asked research participant D, the senior member of the FCS, whether we have members of the police that monitor the Internet in order to try and prevent children from being stalked in chat rooms. His reply follows.

- Research participant D: "There are a few countries, a handful, which are on the Internet 24 hours and who do these types of things. For example, if they come across a guy with child pornography – most of the time it is child pornography – then they take this person's identity and they proceed with that type of investigation. We also have people in SA, but I cannot disclose the details because of the sensitivity of the investigation. We have people who investigate certain things on the Internet".

4.2.6.6 Sex offender register

Research participant C, D and E mentioned the sex offender register when discussing preventative measures for curbing the use of the Internet for sexual activities with adolescents. The following is a reflection of the research participants' opinions with regard to the implementation of such a register in SA.

- Research participant C: "There is a long dispute among us and in other countries, whether or not to have a register of paedophiles".
- Research participant D: "There are two sides. In the registers of the Children's Bill there is a reference to people not suitable to work with children. The purpose of this register is to protect children. The problem we have at this stage, say for example my neighbour parks on my lawn everyday, then I just phone and say that the guy next door is a paedophile, or I say Piet Pompies is a paedophile. How many people in SA have the name Piet Pompies? Now a minister's son applies for work in a children's home and it is written that Piet Pompies is not suitable to work with children. What now? I can't see how that register would do anything. I don't see the use of such a register. We have a Criminal Record Centre. If you commit a crime, then your fingerprints are taken, so it is irrefutable evidence. Schools, children's homes, or any institution which involves children can request that the person must get a certificate of behaviour from the SAPS which states whether the person has a criminal record or not. What happens at the schools nowadays, is that kids decide they don't like someone, because he is too strict. They phone in and give us information. They can even get hold of his identification number. What then? The Children's Bill, at this stage, is being run under Social Services, Social Development. Where would those records or registers be held now? The Justice Department wanted it at one stage and so did Social Development. But how would they implement it? They would also need to get fingerprint experts. Article 37 of the Criminal Procedure Act entitles me

to take someone's fingerprints or their blood to prove a crime. If a guy is not convicted or the case is withdrawn, then by law we are required to destroy those fingerprints and records".

- Research participant E: "In other words, if you know this guy is a paedophile and he prefers children, then you must keep such a person away from children. Such a person must be registered, so that when he moves in somewhere, because they are these charming guys who get on well with kids, because many times they are stuck in their childhood. He in himself is still a child. That is why he gets on so well with kids. So, the only way to help him is to manage him. The register must not lie in some dusty drawer at the Department of Health, where no one has access to it. If a sexual predator (like I call them), moves into a residential area, then all the nursery schools, and all the primary schools in the proximity must be notified that a sexual predator now lives in the neighbourhood. There are many things that we can do".

4.2.6.7 Rehabilitation of paedophiles

With regards to the rehabilitation of paedophiles as a preventative measure for future offences, the research participants offered the following opinions:

- Research participant C: "It is incredibly difficult. I mean, say that he has molested his daughter so grossly, now he is sent to jail and then comes out. The law now washes its hands, because we processed him, he was convicted, we've made an example of him. The principle has been laid down, and correctional supervision is not recommended for a father who molested his child. Send him back to jail and then what? He comes back to his family and he is not at all rehabilitated".

"In the law, and I say this with respect, there is not a lot of sympathy with these situations. I, of course, think that it is unconstitutional and uncivilised. The focus is on retribution. It doesn't lie with rehabilitation, because the argument is that you can't rehabilitate a paedophile".

- Research participant E: "It is so important to know that paedophilia is not normal and it is incurable. You can only manage a paedophile's behaviour, you can't rehabilitate him. In other words, if you know this guy is a paedophile and he prefers children, then you must keep him away from children".

4.2.6.8 Social fabric of the community

One research participant emphasised the importance of addressing the social fabric of the community in order to prevent sexual offences. The following is an exposition of his perception:

- Research participant C: "In my opinion the problem lies in the social fabric of the country and that is where people like sociologists, criminologists, penologists and social workers come in. What went wrong? What happened? I often say that there are lots of people among us who are psychopaths and paedophiles, but we won't know it until this person commits a crime or external manifestation. So to me it looks as if the factors that we use to monitor the social order are crippled, something is wrong. People's relationships, their sexuality, their responsibility, socio-economic circumstances, the whole displacement and power-play in relationships – all these types of things".

"In my opinion, I know it is a very general statement and I don't want to step on the toes of people who do a lot of good work under extremely difficult circumstances - you are expected to thatch a roof without any straw. There are inadequate welfare and social services, the people are not being paid properly, and there are no proper facilities for children who have been molested. Many of the children's homes have been degraded and destroyed. There are enormous cultural and economical problems. All of which, to me, points to that we can have a model legal system and a model Constitution – we most likely have the most progressive

Constitution in the world – but what does it help? Look at what is happening on the ground”.

"There is a decline in the social order. I am not informed enough to tell you why this is the case, but this is how it is and this is where we are and what we see. Instead of having a proactive programme where we address paedophilia, we are overseeing all kinds of changes in current legislation, making the process delivery in the courts very child friendly with anatomically correct dolls. We sit and argue about age groups, but we do nothing about the social order. That is where the problem lies. There isn't supposed to be a child who has been molested, there isn't supposed to be children's bodies, there should be no rapes. It might sound euphoric, but I think that not enough is being done to identify these things and that immediate actions needs to be taken. It comes back to the level of people's education”.

4.2.6.9 Moral values of parents and their children

One research participant had a strong opinion regarding the influence of morality, especially the moral values of parents and their children on the manifestation of sexual offences. The following is an exposition of his viewpoint:

- Research participant E: "I don't think that the problem lies as such in legislation. I think that it lies in morality and with the parents. I don't think it really is about legislation, although it does play a role. Children reflect the parents' behaviour. Parents must stop saying that this guy must make sure that my child does not get involved with drugs or whatever. I think morality – boys are curious and will definitely go and look, but if he was raised right, then he will realise that it is not for him, because he has been taught to respect other people and other people's bodies. I feel that if parents raise their children right with regards to morality, then we will have less rape, we will have fewer sexual crimes and those kinds of things. Whose behaviour does your child reflect? Yours as a parent”.

“These things start in the family home. To point the finger at the government and the laws of the country, and to say that the laws are not sufficient – there are shortcomings - that is only one part of the responsibility. The government has a responsibility, but the biggest responsibility lies with the parents. Parents are not the best example for children, they are the only example, because children do as their parents do”.

“That is why I am saying that legislation and punishment alone won’t address these problems. We have to start in the family home with babies to bring back morality – to teach little boys and girls right from wrong”.

4.2.7 THE ROLE OF CYBER FORENSICS

After enquiring about cases where a paedophile used the Internet to obtain access to children, the researcher used probing to obtain more information from research participant A, the IT expert. An exposition of his discussion with regards to cyber forensics which includes the retrieval of hidden and deleted images when conducting a search for Internet pornography, as well as methods for the tracing of perpetrators that use the Internet for the purpose of sexual offences, follows.

4.2.7.1 Hidden and deleted images

- Research participant A: “Yes, if it is deleted, it goes to the recycle bin and a person can retrieve information from there. Even if you delete it from the recycle bin, it is still there. We use special software. We have forensic software that we use, like the AccessData Forensic Toolkit (FTK), which allows you to look at that information”.

“It sounds simple, but it isn’t so easy. You still have to retrieve the stuff. Typically what happens is that you find a piece of information and then have to figure out what type of file it is. The headers of the files are often gone, but sometimes we can get it. Another thing the guys use is the so-

called slack space where space is created on the computer for a file. Then they don't use all the space and a small space is left which can't be used by any other file. It is allocated to a specific file and then the criminals use those small spaces to store things in. Then there is also steganography – this is where one file is hidden within another. What they often do is to make it look like a picture, but inside that picture is another picture”.

"Steganography is rather when you take a normal picture, a picture of a mountain, a tree or whatever, and then you change small pieces of that picture. You save your file in another file, but you can't see that something has been changed in that file. You will have to look closely to see any change. We've also seen cases where, for example, it is a PowerPoint presentation, but behind the picture in PowerPoint is something else. You open the picture in PowerPoint and then you move the picture just a bit. Often one picture has just been moved over another”.

4.2.7.2 Ways to trace the perpetrator who uses the Internet to gain access to children for sexual purposes

- Research participant C: "That is another thing about the Internet. The Internet has, unless that person is highly skilled, and there are ways to be skillful, that is the very dangerous and sly criminals - there usually is a traceable path where you can see who did what and where he was, it is possible”.
- Research participant D: "The fact that the Internet has no borders. The fact that he can bounce - a guy who is sitting in SA and bounces himself off a satellite to make it look as if he is in another country. If you look at WAP [Wireless Application Protocol] – wireless – the guy can sit anywhere at his or her computer, go onto the system and you will have no idea where it comes from. There is no paper trail. Basically if you also look at an IP address, the guy has to phone from the same place with normal dial-ups every time. If you go in, you will get another IP address every time. So, if you go and sit by a WAP – and you have this G3 they talk about, if I am

correct – and you connect and sit in a café, you won't know where, or how, or from where this thing comes. For example, at the airport you can trace it back to a hotspot, but you won't know which of the many people who were at that hotspot is the culprit. Then you must also keep in mind, a paedophile, how do you really know that the guy on the other side is a child. He can pretend to be a child and he can have all these sexual conversations and you will never know that it is actually an adult. It can be a child pretending to be an adult. It is faceless. A person doesn't know who is sitting on the other side of the computer”.

4.3 SUMMARY OF THE RESEARCH FINDINGS

After presenting the abovementioned extracts from the interviews, the researcher will now summarise the information derived from the interviews by providing an exposition of the comparable, as well as the divergent responses that were identified during the study.

4.3.1 COMPARABLE RESPONSES

The following comparable responses were presented during the interviews:

- In response to the question whether the research participants are familiar with new avenues that paedophiles utilise to approach children for sexual purposes, all of them mentioned that the Internet as well as the use of sms's and mms's are new avenues. Children are exploited and intimidated by receiving suggestions for sexual interactions via these mediums.
- When the research participants were asked whether there is a link between child pornography and the abuse of children, research participants B and E agreed that child pornography is indeed an indication that a child was molested during the production of the child pornography. Furthermore children as young as those being portrayed in child pornography lack the emotional capacity to deal with what is being done to them. Research participants B and E agreed that child

pornography is not a victimless crime, as the children being portrayed in child pornography are already victims of sexual exploitation.

- The research participants were asked whether jurisdiction can be problematic when prosecuting child pornography and Internet paedophilia cases. Research participant C and D agreed that jurisdiction will not be problematic, as a South African citizen that commits a crime in another country can be prosecuted in South Africa. They concurred that jurisdiction is a procedural matter that does not pose a substantial problem.
- Research participants A, B, C and E agreed that current legislation has certain problems that need to be addressed. However, research participant C emphasised that legislation cannot be blamed for everything that goes wrong, as it only comes into effect after a crime has been committed, and it can only do so much in order to try and prevent a crime. The interpretation of legislation seems to be the biggest obstacle in addressing this issue.
- With regards to preventative measures pertaining to parents and/or caregivers, all the research participants agreed that parents must be made aware of the dangers surrounding the Internet. They must also be informed on how easy it is for children to stumble across child pornography, and how effortless it is for a sexual offender to gain access to children via chat rooms. This correlates with an Internet article in which it is stated that adolescents might access pornography by accident while surfing on the Internet (Chat wise, street wise – Children and Internet chat services, n.d.). This offers an additional avenue to paedophiles for making contact with potential victims. Research participants D and E emphasised that parents should monitor their children's Internet access carefully. Research participants E highlighted that parents must educate their children and make them aware of possible dangers when using the Internet. Children must know the difference between right and wrong and they must be taught to respect other people's dignity.

4.3.2 DIVERGENT RESPONSES

The following divergent responses were identified during the interviews:

- Regarding the question whether the Internet is a contemporary avenue utilised by individuals to gain access to children, the research participants held diverse opinions. Research participant B was of the opinion that other easier ways exist than using the Internet to gain access to children. Examples of these are social events of friends and family, where a sex predator has easy access to children. However, research participant C postulated that the Internet is a paradise for paedophiles. Research participant E added that he was familiar with cases where paedophiles used chat rooms to gain access to children for sexual purposes and actually dealt with a victim with whom an appointment was made after a paedophile met with him in a chat room. He insisted that people are not attuned to the enormity of the problem. They do not realise that most of the paedophiles start by watching pornography, and that the Internet is the ideal avenue for them to start with their deviant behaviour. They have anonymous access to watch pornography and to lure children for sexual purposes.
- The researcher asked all the research participants whether they have dealt with any cases where an individual utilised the Internet to gain access to children. Only one participant replied that he has dealt with one case where a child was approached in a chat room after which an appointment was made to meet this child. The other research participants indicated that they have not come across any such cases.
- Regarding the prevalence of child pornography and whether they have encountered any cases of this nature, the following responses were given: Research participant A indicated that he is aware of the fact that the police receive many cases of this nature, but they do not deal with these cases as such. Research participant B indicated that he has a person in therapy that uses Internet pornography and child pornography for personal purposes. However, the offender does not make any contact with children and he is not involved in any

paedophilic acts. Research participant D, on the contrary, was adamant that child pornography is used frequently by sexual predators.

- During the interviews, it became evident that there is controversy regarding the definition of paedophilia and child molestation. Research participant B stated that there is a difference between molestation and paedophilia. Molestation can occur due to various circumstances, for instance a man who is angry at his wife can abuse his child as a form of retribution against the mother, while paedophilia refers to an exclusive preference for children. Research participant C insisted that one must look at the psychiatric definition of paedophilia, as the media often portrays it incorrectly. Research participant D was of the opinion that the concept molestation can refer to irritating or annoying someone, thus the concept can be confusing. He emphasised that one must rather refer to specific concepts such as indecent assault, rape and attempted rape as set out in the Sexual Offences Act (Act No. 23 of 1957).
- In order to be classified as a paedophile, the individual needs to be clinically evaluated in a psychiatric institution. The research participants had different opinions regarding the classification of paedophiles. Research participant C stated that referral of offenders to a psychiatric institution for 30 days' observation and classification is a daily occurrence in the courts. However, research participant D articulated that despite his working with these cases on a daily basis, he is not aware of any offender that was referred to a psychiatric institution for classification.
- The following diverse opinions were given when research participants were questioned with regards to the correlation between pornography and violence: Research participant B mentioned that research has not yet proved that people that view pornography display more sexually deviant behaviour. Research participant D concurred and contended that some people will view pornography and never hurt a child, while there are other people that never view pornography but abuse children. Contrary to this, research participant E was of the opinion that

pornography does indeed lead to violence. He emphasised that out of 1 000 assessments of child sexual abuse cases, pornography played a role in 60% of them. According to him, pornography is one of the most convincing methods or tools used in order to commit sexual offences.

- Regarding the question on whether jurisdiction poses a problem in Internet paedophilia and child pornography cases, research participants C and D agreed that it does not pose any problem. However, research participant E strongly disagreed as he stated that offences that are criminally punishable in one country is not an offence in another country and that it can pose huge problems with regards to the prosecution of these offences.
- When referring to possible limitations of legislation, research participant D strongly disagreed with research participants A, B, C and E as he was of the opinion that the Films and Publications Act (Act No. 65 of 1996) for instance is the best in the world. According to him, legislation with regards to child pornography and Internet paedophilia is sufficient.
- The research participants had different opinions regarding the implementation of a sex offender register to prevent further offences. Research participant D postulated that he cannot see how such a register can make any difference. Instead, he articulated that innocent people could be victimised just because they have the same name as an offender whose name is written in the sex offender register. According to this respondent, it will be better if potential employers, especially within fields where individuals work with children, approach the SAPS for a behavioural certificate to determine whether the individual has previous convictions related to the abuse of children. Research participant E said that he is in favour of a sex offender register, as he is of the opinion that paedophiles must be kept away from children, and the only way to ensure this is to be able to identify a paedophile as soon as he moves into a neighbourhood. The only way that this is possible, according to him, is by having a sex offender register.

- Research participant C stated that there is normally an identifiable path that can be traced as soon as a person uses the Internet. Perpetrators that use the Internet to gain access to children for sexual purposes can therefore be traced. However, research participant E emphasised that the Internet has no boundaries, and that the methods used by perpetrators leads to the fact that there is no way that one can trace the person who accessed the Internet. It can be possible to trace it back to a certain location, but then one still has no idea what the identity of the specific person is that accessed the Internet from that specific location.

4.4 CONCLUSION

Following the identification and grouping of various categories and sub-categories pertaining to the information received from the research participants in Chapter 4, the research findings will be interpreted in Chapter 5. In addition the achievement of the aims, possible preventative measures, limitations in the study, as well as recommendations for future studies will be discussed.

5. INTERPRETATION OF DATA, ACHIEVEMENT OF OBJECTIVES AND RECOMMENDATIONS

The focus of this study was to explore the existing preventative measures for the curbing of sexual activities with adolescents via the Internet. The researcher conducted interviews with experts in the field of child sexual abuse, legislation and cyber forensics to get a broader picture of Internet paedophilia - a topic that has not been investigated extensively in SA. Firstly, it was important to establish how sexual offenders use the Internet to establish contact with potential victims. One of the underlying factors that needed to be explored was to determine to what extent the Internet is used by sexual predators in SA. It is important to know what the extent of the problem is before one can identify ways to minimise, curb or prevent this activity, if necessary. Furthermore the researcher had to explore the prevalence of existing preventative measures, as well as experts' views with regards to the

effectiveness of current legislation to curb Internet paedophilia. Current filtering and blocking software used to prevent Internet sexual activities with adolescents, as well as current measures to make parents, caregivers and children more aware of the dangers the Internet poses for adolescents were also investigated.

In this chapter, the following aspects will be discussed in terms of the findings:

- Interpretation of the findings.
- Achievement of the aims of the study.
- Shortcomings of the study.
- Recommendations for the prevention of Internet sexual activities with adolescents.
- Recommendations for further research.
- Value of the study.

5.1 INTERPRETATION OF THE DATA

An interpretation of the data derived from the interviews follows. The categories and sub-categories as identified in Chapter 4 will be discussed and the responses in each category will be compared with current literature.

5.1.1 NEW AVENUES THAT PAEDOPHILES UTILISE TO APPROACH CHILDREN FOR SEXUAL PURPOSES

Traditionally, paedophiles had to find their victims in game centres, shopping malls, streets, parks and school playgrounds in order to exploit them (Gado, n.d.). Technological advances provide a contemporary avenue for paedophiles to gain access to potential victims. The paedophile is no longer required to use traditional and potentially exposing means to make contact with victims, as he can use a computer to communicate with his victims while remaining anonymous (Help stop paedophilia, n.d.). Research participant E agreed with this statement and postulated that paedophiles no longer need to use traditional ways of luring children, as the Internet can be found in most

homes. Thus, it has become easier for paedophiles to gain access to children.

In the modern era, children with access to the Internet spend the majority of their leisure time on the Internet. According to research participant E, one of his clients said that children nowadays have access to the Internet 24/7. In other words, they have Internet access for 24 hours per day, seven days a week. This comment is in line with research (Just harmless fun? Understanding the impact of pornography, n.d.) which indicates that the reason why paedophiles target children online is because they know that children spend a large amount of time on the Internet.

5.1.1.1 The Internet

Traditionally, paedophiles had to visit sex clubs, or rely on newspaper advertisements and prison contacts when they wanted to interact with other paedophiles (Gado, n.d.). Research participant C explained that the Internet can be seen as a paradise for paedophiles, as it is a network which provides endless opportunities not only to interact with children, but to interact with other paedophiles as well. This whole network of contacts and the collection of child pornography that can be traded, can be seen as the paedophile's erotica and most precious possession.

Haupt (2001:21) emphasises that the Internet allows individuals to make contact with other individuals, without revealing personal details or information. This means that the user can choose to remain anonymous. It thus becomes extremely difficult to determine who is gaining access to an individual's personal information via the Internet. Research participant E elaborated on this statement by saying that it is easy for a paedophile who uses the Internet to pretend to be a child of the same age, as the child that he is interacting with. Due to the anonymity of the Internet, there is no way that the child can know that an adult sex predator is interacting with him in the chat room. Appendix H (a case study) illustrates how a child can be deceived by a

sex predator and how the sex predator can gain personal information of the child, without the child suspecting anything.

Research participant A agreed that there is no way to determine with certainty what the age is of the person trying to make contact with another individual via the Internet. Thus, the almost guaranteed anonymity makes it easy for a paedophile to make contact with, and lure a child for sexual purposes. Research participant D elaborated by saying that the Internet is faceless, in other words that it is nearly impossible to establish the correct age of the person that one is communicating with via the Internet.

5.1.1.2 SMS and MMS

Research participants A, B and D agreed that in addition to the Internet, sms's and mms's are also used by sexual offenders. Research participant B affirmed that sms's are used to intimidate or sexually exploit children by means of making improper suggestions. While doing a presentation on Internet paedophilia at a high school in Pretoria, the researcher was informed by learners that children in schools increasingly receive pornography via mms's. Similar to the Internet, the cellular phone can also become a tool that paedophiles abuse to lure children for sexual activities.

Recently, two Johannesburg Metro Police officers were arrested for taking explicit photographs of a 16 year old girl from Soweto, SA. The two men, Von Doms, 22 years old, and Voughan, 24 years old were arrested for contravening the Films and Publications Act (Act No. 65 of 1996). They were arrested after the mother discovered the explicit photographs on her daughter's cellular phone. It appears as if the men mms'd the photographs to the girl (Cops take explicit pics of teen, 2006). These photographs were also distributed at the high school she attends and were on offer at R100.00 per mms. This accentuates the views of research participants A, C and D, that cellular phones are also a contemporary avenue that is used by sexual offenders to victimise children. Sex offenders make use of the specific lingo

as mentioned in section 2.5.5 when sending sexually explicit messages to children.

5.1.2 PREVALENCE OF CASES WHERE AN INDIVIDUAL UTILISED THE INTERNET TO GAIN ACCESS TO CHILDREN FOR SEXUAL PURPOSES

Research participant B suggested that South Africans do not have a dedicated Internet connection such as in the USA where they are connected to the Internet 24 hours per day. He emphasised that getting connected to the Internet is expensive in SA, which can lead to the fact that Internet paedophilia is not as common locally as it is abroad. However, one must keep in mind that various individuals have free Internet access at work. In addition, places like hotspots make it possible for individuals to connect to the Internet free of charge. A hotspot can be defined as a specific geographic location at which an access point provides public wireless broadband network services to mobile visitors. Hotspots are often located in heavily populated places such as airports, train stations, libraries, convention centres and hotels (Webopedia, 2002). These hotspots also increase the anonymity that paedophiles can function with. This corresponds with the view of research participant D, who stated that when a person connects to the Internet at an airport where a hotspot is situated, there is no way to determine which of the many people who were at the specific hotspot, is the culprit.

5.1.2.1 Chat rooms

It must be noted that only one respondent, research participant E, has dealt with a case where a child was approached by a paedophile in a chat room. The researcher is of the opinion that this low incidence can be attributed to individuals not reporting when they are approached by a paedophile online. The reason for non-reporting can be due to the fact that making contact and interacting with a child is not an offence. In order to classify this as criminal behaviour punishable by the law, an indecent proposal or indecent suggestion must have been made. This corresponds with research participant D's view who stated that no crime has been committed if a person only makes contact

with a child via the Internet. However, if an indecent proposal is made, it will be regulated by the Sexual Offences Act (Act No. 23 of 1957). It is also possible that children do not report this to their parents, as they may be of the opinion that their parents will somehow hold them responsible for contributing to the indecent proposal by having made certain sexual innuendos. Some children may even be unaware of the fact that they were interacting with a paedophile (Appendix H).

Research participant B emphasised that paedophiles lure their victims, by means of a grooming process. Because they share similar interests with the child, they will engage in discussions that will get the attention of the child. This grooming process can eventually lead to sexual activities. This statement corresponds with the information found in the literature. Paedophiles initiate the grooming process by the online discussion of topics that children are interested in. Paedophiles are experts when it comes to the manipulation of children and are skilled in ways to make children believe that they are sincere and likeable (Safeguarding children on the Internet, n.d.).

5.1.2.2 Child pornography

Research participant A has only dealt with the forensic analysis of two pornography cases. Seeing that research participant A is actively involved in the forensic analysis of computer hardware and software, and in light of the fact that the centre has worked with 10 terrabytes, in other words 10 000 gigabytes' data in two years, the analysis of only one or two pornography cases should be interpreted cautiously. When taking into consideration that research participant D is of the opinion that child pornography is very common and that the SAPS deals with cases involving child pornography frequently, the researcher can only conclude that the rest of the child pornography cases were referred to the technical support units of the SAPS for forensic analysis (Labuschagne, 2006). This deduction should however be tested through empirical research.

Research participant B stated that one of his clients uses Internet pornography, but does not approach children for sexual activities. This statement was confirmed by research participant D, who is of the opinion that there are people who view child pornography without ever indecently assaulting or raping a child. This is contradicted by research findings, as it is postulated that children are harmed by the production of child pornography, as well as by paedophiles that use such material in order to excite children, and to convince potential victims that sexual conduct between children and adults is acceptable (Kelly, 1992:119). Exposure to child pornography can have long term psychological effects on children. The reaction of children who are used as models for child pornography can be compared to that of a person who was raped. Some of these children are exposed to bondage, and have chafing marks on their wrists, feet or neck. Injuries to the mouth caused by oral sex are also common. Thus, if one views child pornography and is stimulated by it, one is condoning the sexual abuse of a child (Carstens, 2001:15).

5.1.3 PAEDOPHILIA

From the findings it is evident that discrepancies exist between the definitions of paedophilia and child molestation, and that the classification of a paedophile is still a controversial issue.

5.1.3.1 Definition of paedophilia and child molestation

Research participant C was of the opinion that one must be careful when defining paedophilia, as there are certain key concepts that should be considered. He emphasised that paedophilia refers to an unnatural attraction to children under a certain age and that a continuum of incidences prevalent for the duration of at least six months must be identified. This corresponds with the operational definition provided by the researcher in section 1.1.5. This definition explicitly includes sexual behaviour with a child younger than 13 years. In addition, it is stated that the condition must be persistent in an individual over a period of at least six months.

Research participant B clearly stated that there is a difference between child molestation and paedophilia. This statement is derived from the fact that some adults who indecently assault children are not necessarily paedophiles. Most paedophiles are exclusively attracted to children. In contrast with this, all adults who indecently assault children do not have an exclusive attraction to children. Some commit the offence as an act of revenge or in order to improve their own self-esteem. The above is supported by Labuschagne (2006) who also distinguishes between child molestation and paedophilia. He insists that child molestation refers to the acting out of sexually inappropriate behaviour with children, while paedophilia does not necessarily imply that an individual engaged in sexually inappropriate behaviour with children. However, if an adult experiences sexually arousing fantasies of children, it is sufficient reason to classify that individual as a paedophile.

Contrary to the above, research participant D was of the opinion that the concept child molestation should be avoided as far as possible, and that concepts such as indecent assault, rape and incest, as set out in the Sexual Offences Act (Act No. 23 of 1957) should be used. According to him, the concept can be confusing as physical assault and neglect are often viewed as child molestation. In other words, the concept can be confusing, due to the broad definition given to it. Thus, one can conclude that various discrepancies exist with regards to the definition of child molestation.

5.1.3.2 Classification of a paedophile

Research participant C emphasised that the referral of sexual offenders to institutions for a 30 day observation period happens frequently in South African courts. These sexual offenders are observed in order to ascertain whether, according to the DSM IV-TR, they can be classified as paedophiles, and whether they can be held accountable for the crime that they committed. Research participant D disagrees with the abovementioned, as he is not aware of any sexual offenders who were referred for classification during the 20 years that he has been working in the field of child sexual abuse. It is thus

possible that these clinical classifications do not happen frequently. One can deduce that there is disagreement with regards to the classification of paedophiles. This emphasises the need for further research in order to ascertain whether sexual offenders are indeed clinically assessed and classified.

Even though people refer to individuals as paedophiles, they can not be labelled as such without the proper classification as explained above. Without proper classification, it is not possible to determine the extent of paedophilia. This, as well as the fact that it is included in police statistics, under the broad category of sexual offences, leads to a dark figure in statistics with regards to paedophilia.

5.1.3.3 Female perpetrators

According to research participant E, mothers are more frequently involved in the sexual abuse of their children than is commonly believed. He qualified this statement by explaining that the mother is the primary caregiver and therefore she can easily hide the abuse. This statement sheds new light on the view that paedophilia is normally defined in terms of a male only phenomenon and is in direct contrast with research findings (Bartol, 1999:295; Finkelhor & Araji, 1986:286). It can be deduced that further research is needed in this regard.

5.1.4 PORNOGRAPHY AND CHILD PORNOGRAPHY

Various opinions were given with regard to the role of pornography and child pornography in sexual offending. An exposition of these views follows:

5.1.4.1 The connection between pornography and violence

According to research participant B child pornography is evidence of child sexual molestation. The mere production of child pornography in itself involves the victimisation of children. He added that the children being used

in child pornography are usually beautiful children with glowing expressions on their faces. This can be compared to the view of Kelly (1992:116) who postulates that child pornography cannot be produced legally. In most cases the victim of child pornography is sexually abused and forced to pose for the photographer. Child pornography can thus be seen as a “crime scene record of a child’s sexual abuse” (Just harmless fun? Understanding the impact of pornography, n.d.).

Research participant E highlighted that paedophiles use pornography in order to convince children that there is nothing wrong with sexual activities between children and adults. This statement is in line with literature findings (Just harmless fun? Understanding the impact of pornography, n.d.) discussed in section 1.3.2.4 where it is stated that sexual offenders frequently use pornography to convince the child that paedophilic activities are normal.

Research participant E also stated that showing pornography to children is part of the grooming process. This corresponds with previous research (section 2.4.1), where it is stated that the paedophile will try to break down the child’s inhibitions by showing him or her photographs of other children who are engaged in sexual activities (Sexual exploitation of children, n.d.). According to Conradie (2001), child pornography is shown to children in order to normalise sexual behaviour, to put responsibility onto the victim for becoming aroused to the material and to generate secrecy. Child pornography is shown to the victim to lower his or her inhibitions and to introduce the possibility of having sex with an adult (Gado, n.d.).

In this regard, research participant B emphasised that research has not yet convinced that pornography influences behaviour negatively, or that people that view pornography exhibit more sexually deviant behaviour than people who do not view pornography. Research participant D agreed that there is evidence of individuals who view child pornography without displaying paedophilic behaviour, while other individuals that never came into contact with child pornography sometimes resort to paedophilic behaviour. This is in contrast with existing literature findings (section 1.3.2.4) which indicate that

“87% of all paedophiles who molested girls, and 77% of those who molested boys, used pornography as a so-called handbook for their crimes”. However, although it is stated (The Films and Publications Bill of South Africa, second reading debate, 1996) that pornography can stimulate certain paedophiles to such an extent that they rape or sexually molest their victims, this matter needs extensive investigation within the South African context.

5.1.4.2 Paedophiles and their pornographic collections

In conjunction with the abovementioned statement that child pornography can serve as a stimulus, research participant B was of the opinion that although a paedophile’s collection of child pornography can be viewed as a stimulus, it is not a primary source of satisfaction. This finding is in contrast with the opinion of Labuschagne (2006) who indicates that child pornography acts as part of the paedophile’s fantasy life. Paedophiles normally have extensive child pornography collections, which they view as their most prized possession. Some paedophiles go as far as bequeathing their child pornography collections in their wills for other paedophiles. They even share their collection with other paedophiles, and can use the Internet to distribute it. Despite the fact that they know that their child pornography collection can be incriminating, they will not destroy it (Tate, 1992:212). Their collections are important to them, because their victims gradually mature, and as a result they lose interest in them. However, the pornography does not age, and can always serve as a memory or stimulus (Sexual exploitation of children, n.d.). Thus, there is a contradiction between the view of research participant B and opinions found in literature. Research regarding this aspect needs to be conducted in the South African context.

5.1.4.3 Sexual fantasies, child pornography and paedophilia

Research participant E emphasised that paedophilia is a fantasy that becomes a reality as soon as the paedophile starts acting out that specific fantasy. According to him, this is the reason why the Internet is so dangerous. The Internet can stimulate the fantasy. This corresponds with existing

literature in this regard. Du Toit (1998:10) is of the opinion that the actual sexual arousal by child pornography leads to distorted thinking and reinforces deviant sexual ideas and behaviour. Conradie (2001) elaborates on this by adding that the viewing of pornography reinforces sexual arousal and can lead to the viewer reaching an orgasm while viewing deviant sexual practices. Wyre (1992:240) adds to this by saying that “pornography certainly reinforces and can also create the predisposition to carry out abuse. It feeds the fantasy, and it creates distorted thinking.” It can be derived that more research on the motivational aspects pertaining to the use of pornography on the Internet needs to be conducted.

Research participant C mentioned that paedophiles frequently exhibit other forms of sexually deviant behaviour, for instance voyeurism (commonly known as *peeping toms*) or exhibitionism (commonly known as *flashers*). These behaviours are a display of these individuals’ sexual fantasies. This is confirmed by Labuschagne (2006). This author states that paedophilia is categorised as a paraphilia, or in other words an abnormal sexual disorder. This implies that paedophiles may deviate by committing other types of abnormal sexual behaviour as well.

5.1.4.4 Cybersex addiction

Research participant B, however, had a different point of view as he was of the opinion that an individual who uses the Internet to view pornography mostly suffers from a cybersex addiction. According to him, someone who uses the Internet for sexual gratification, has a problem with social interaction. Considering that the Internet provides an impersonal, anonymous way to achieve sexual gratification, it is often a preferred method for individuals with deficient social skills. Research participant B is thus of the opinion that an individual with a cybersex addiction is not a person who will necessarily act out their fantasy on real life models, in this case, children.

Research participant B indicated that individuals who watch child pornography on the Internet will not necessarily resort to sexual activities with children. He

was of the opinion that interaction on the Internet will not be satisfying for a paedophile, as he wants physical contact and needs to be surrounded by children. That is why they choose occupations that bring them into close proximity of children. He therefore distinguishes between paedophilia and a cybersex addiction. In addition, research participant B believes that individuals with a cybersex addiction will not get involved and abuse real victims.

Research participant E disagreed with the abovementioned and stated that paedophiles can be stimulated by the Internet as it is part of a fantasy that is fulfilled. Paedophiles fantasise about children, and the mere interaction between them and the child via the Internet can be sufficient to lead to sexual arousal of the paedophile. According to him, the Internet is indeed a tool that is being used in order to commit sexual crimes. In his assessment of 1 000 cases it was found that Internet pornography played a significant role in 60% of the cases. Once again, confirmation that a correlation exists between cybersex addiction and the abuse of children, could not be established. Thus empirical research regarding the abovementioned is essential in order to gain clarity.

5.1.5 SOUTH AFRICAN LEGISLATION

The data analysis indicates that there is dissension among the experts concerning the efficiency of current legislation regulating child pornography and sexual activities with adolescents via the Internet.

5.1.5.1 Child pornography

Research participant C cited examples where individuals claimed that by prosecuting them for the possession of child pornography obtained via the Internet, their right to freedom of expression and their right to privacy was being infringed. They defended their position by claiming that they were viewing child pornography in their own homes, and on their own computers. The research participant however also emphasised that the Constitution of SA (Act No. 108 of 1996) specifies that one's rights can be limited if it is just and

acceptable, and in the best interests of a democratic society. He also mentioned that legislators had to mould the definition of child pornography to the Internet language, to ensure that all the principles were included. The Films and Publications Amendment Act (Act 34 of 1999) includes the encompassing definition that research participant C is referring to. The definition includes the exploitation and degradation of children, and is clearly in line with the broad protection envisaged by Section 28(1)(d) of the Constitution.

5.1.5.2 Sexual activities with adolescents via the Internet

Research participant D referred to legislation that regulates sexual activities with adolescents via the Internet, namely the Sexual Offences Act (Act No. 23 of 1957), the Sexual Offences Amendment Bill (Bill No. 50 of 2003) and the Children's Bill (Act No. 70 of 2003). Currently the Sexual Offences Act (Act 23 of 1957) regulates the procurement of children to commit indecent acts. In other words if a child is approached by a paedophile via the Internet, and the paedophile makes an indecent proposal it will fit the criteria for prosecution under the abovementioned Act. He also postulated that legislation is sufficient to regulate sexual activities with adolescents via the Internet. Research participant C agreed and stated that legislation is adequate, but emphasised that the application thereof is not always sufficient.

Research participants A, B and E, on the other hand, were not familiar with the legislation, but were of the opinion that it is inadequate. Since this is not based on first hand knowledge, no deduction could be made in this regard. The fact that experts are not familiar with legislation is a cause of great concern.

5.1.5.3 Court cases

Research participant C discussed South African court cases pertaining to child pornography as well as sexual activities with adolescents via the Internet. According to him, the rights of children always weigh more than an

individual's right to privacy. Even though there are no reported cases of sexual activities with adolescents, it does not mean that no such cases were heard in a court. Not all the cases are reported, and some of the cases are so gruesome that they are heard *in camera* in order to protect the child. However, although it protects the child, the identity of the paedophile is protected as well.

When discussing the court case, *De Reuck v Director of Public Prosecutions, Witwatersrand Local Division and Others 2004(1) SA 406*, research participant C stated that De Reuck, who was caught with child pornography in his possession, tried to convince the Court that he was only using it for *bona fide* research. His appeal did not succeed, as it could not be proven beyond a reasonable doubt that he was indeed only using the material for research, and because the "rights in relation to the possession and importation of child pornography should be limited, as it is reasonable and justifiable". It was also added that "the intrusion of the law into De Reuck's private domain is justifiable as many of the resultant acts of abuse against children take place in private". Due to a limited amount of court cases the researcher is unable to draw a conclusion with regards to the enforcement of legislation in cases involving paedophilic acts.

5.1.5.4 Jurisdiction

Research participant C was of the opinion that jurisdiction is a problem that can easily be resolved as it is a procedural matter. Research participant D added that extra-territorial legislation regulates matters where a South African citizen commits a crime in another country, and then returns to South Africa. The individual can then be prosecuted in his country of origin, South Africa. This contradicts Du Toit's (2002:22) view that jurisdiction over digital distribution of pornography poses problems, as legal responsibility is contentious and the material is often distributed by phantom operators. Du Toit's view is discussed in section 1.3.2.3.

While conducting the research, the researcher received various child pornography e-mails. Even though the name of the sender appears in the inbox, one cannot reply to the e-mails, as the e-mails are sent by phantom operators. However, a link is provided, and if one connects to the Internet, the child pornography on that website can be viewed. Thus, it will be problematic to apprehend these offenders, and one can derive that jurisdiction over digital distribution of pornography does indeed pose some problems.

5.1.5.5 Limitations of legislation

Research participant B postulated that it is difficult to regulate children's access to sexually inappropriate content on the Internet, as anyone can pose to be eighteen years or older. Numerous websites with age restrictions of eighteen years or older can be accessed by merely clicking and entering, without an identification number or credit card number. Various videos and photographs can also be downloaded free of charge. Thus, there is no way to prevent children from accessing these sites. As Akdeniz (1997) states: "The Internet is not a lawless place, rather the Internet poses a fundamental challenge for effective leadership and governance".

It must also be taken into account that even though legislation might be sufficient to curb Internet sexual activities with adolescents, the enforcement of the legislation might pose problems. As some police officers are computer illiterate, the police in SA are not always sufficiently equipped to deal with Internet pornography and paedophilic activities via the Internet (Maree & Van der Merwe, 1999:64). Their views are discussed in section 2.5.

5.1.5.6 Limitations of the Criminal Justice System

Research participant C made a statement, namely that people criticise the legal system for not protecting children effectively. What is not being taken into account is that the law is reactive, and it is only enforced after a crime has been committed. Thus, the law is in no position to prevent the crime from happening. It could however act as a deterrent. This corresponds with

literature (Maree & Van Der Merwe, 1999:64) where it is stated that the police rely on citizens to provide them with information regarding illegal content on the Internet, in order to be able to monitor it and prosecute the guilty parties. Thus, instead of being proactive, a reactive approach is being followed (see section 2.5).

5.1.6 PREVENTATIVE MEASURES

From the findings it is evident, that all the research participants emphasised the importance of preventative measures for the restricting of Internet sexual activities with adolescents.

5.1.6.1 Parents or caregivers

Research participant E argued that parents falsely believe that their children are safe when they are at home, as they are not roaming the street where they can possibly be victimised by a stranger. This statement concurs with existing literature (see section 1.3) which emphasises that the familiar, safe and protected home environment provides a false sense of security, which may lead to the child communicating more openly than they usually would, or entering into a relationship, which is more intimate than they would normally feel at ease with (Chat wise, street wise – Children and Internet chat services, n.d.).

Research participant B stated that it does not serve any purpose to inform parents of the possible harm that can be inflicted when adolescents use the Internet. He mentioned the fact that parents do not have any control with regards to their children's Internet access. The other research participants were, however, of the opinion that parents must be informed and educated with regards to the Internet, as one cannot expect them to effectively protect their children if they are not aware of the potential dangers that their children face. It is possible that parents are not controlling their children's Internet access, because they are not aware that their children may be in danger. As research participant D stated, parents cannot be expected to take

responsibility for their children if they are not informed of the potential dangers that their children face.

Research participant D added that even though one may ensure the online safety of one's children when at home, one must take into consideration that they might access the Internet from a friend's home or from an Internet café, where all the safety precautions are not taken. Therefore, as research participant E emphasised, it is essential that parents make their children aware of possible dangers when using the Internet, and to teach their children moral values. It is also stated (Spector will protect your children, n.d.) that parents should educate children regarding the dangers of interacting with a stranger on the Internet. Research participant E pointed out that parents believe that once they lock their doors, their children are safe from potential criminals and potential victimisation. What they are not taking into account is that their children are actually locked in with the criminals, as it is possible for paedophiles to reach children within their own homes. It is thus clear that the role of parents with regards to prevention of Internet sexual activities is of paramount importance.

5.1.6.2 Teachers and the curriculum

According to research participant E, the impact of the media and technology on children should be introduced as a subject into the new outcomes-based curriculum of all schools. This implies that children should be educated with regards to avenues utilised by sexual predators to gain access to potential victims. The research participant is of the opinion that children should be informed that they can be sexually victimised by means of the Internet and/or sms's and mms's. In addition, teachers should make children more aware of the negative consequences of viewing pornography and the possibility that one can become a cybersex addict. This corresponds with the four stages of viewing pornography (see section 2.4.2). After the initial exposure to pornography, one can become addicted and have a constant desire to have access to pornography (Just harmless fun? Understanding the impact of pornography, n.d.). Research participant E echoed this position by comparing

the viewing of pornography with drug addiction. In other words, he said that pornography is just as addictive as drugs.

Based on the above, it can be deduced that the school provides the ideal environment to educate children with regards to avenues utilised by sexual predators to gain access to potential victims and to inform them of the negative consequences of viewing pornography.

5.1.6.3 Awareness campaigns for children

Research participant B stated that awareness campaigns can stimulate children's interest and make them more aware of the phenomena that are supposed to be prevented. Children may become curious and this can lead to them experimenting with pornography or entering chat rooms to test whether a sexual predator will make contact with them.

Children are often confronted with sexually explicit material, as many school children claim to see and receive pornographic sms's and mms's on a regular basis. According to research participants B and E, children must be educated with regards to the possible dangers that can be associated with the Internet, as well as other technological aids. When compared to adults, children are not mature and lack discernment. This often leads to the scenario where children have to deal with explicit pornography that is beyond their psychological and emotional development stage (Just harmless fun? Understanding the impact of pornography, n.d.). As a result, children tend to block out the experience in their subconscious and this can hamper the moral and mental development of the child (see section 1.3). It is clear that both research participants feel strongly about the fact that awareness campaigns are essential, as children must be educated about pornography before they are confronted with it.

5.1.6.4 Filtering and blocking software

Research participant A discussed the functionality of the filtering and blocking software programme, Cybercop. Although it is not one of the software programmes that the researcher discussed in the literature review (see section 1.4.2 and section 2.5.4) it is similar to those packages. Since only one research participant had any knowledge with regards to filtering and blocking software it is evident that even the experts have limited knowledge with regards to software aimed at restricting the use of the Internet for sexual activities. Although this may be attributed to the fact that only one of the experts, namely research participant A, is an IT expert, it deserves to be mentioned that this research participant also had limited knowledge with regards to filtering and blocking software. This finding highlights the importance of education with regards to possible prevention strategies that are available, and that can contribute to curbing the use of the Internet for sexual activities with adolescents.

The fact that all the information with regards to filtering and blocking software that was discussed in the literature review, was obtained from Internet articles (since no South African sources with regards to filtering and blocking software could be found) and most of the software packages were developed abroad, is also a matter of concern. Countries such as the UK and USA are actively involved in the curbing of Internet crimes and subsequently are informed about preventative software packages that are available. This lack of knowledge may be attributed to the fact that Internet paedophilia is apparently not seen as a crime in SA that commonly occurs (see views of research participant B and D). It is evident that little effort is made in SA to take cognisance of preventative measures to curb Internet sexual activities with adolescents.

5.1.6.5 Monitoring of the Internet and capacity of the police

According to Maree and Van der Merwe (1999:64), the SAPS is not equipped to deal with Internet pornography and paedophilic activities via the Internet.

The police rely on citizens to provide them with information regarding illegal content on the Internet, in order to be able to monitor it and prosecute the guilty parties. Thus, instead of being proactive, a reactive approach is being followed. An explanation for this lack of skills can be that since paedophilic activities via the Internet is apparently not a common phenomenon (research participants B & D), the police do not have much opportunity to deal with such cases.

Research participant D disagreed with the statement that the police are not equipped to deal with paedophilic activities via the Internet, and confirmed that there are police officials in SA that conduct certain investigations on the Internet. However, due to the sensitive nature of these investigations he was unable to provide more information. After the interview was conducted the researcher came across an article (Ekron, 2006) that discussed a new Internet Task Team that was established in SA during October 2005 in order to investigate the use of the Internet for sexual offences. The Task Team apprehended six men in Cape Town for the possession of child pornography after monitoring their Internet activities. This investigation is known as 'Project Doctor'.

5.1.6.6 Sex offender register

Research participant E gave various arguments in favour of a sex offender register, while research participant D gave various arguments opposed to such a register. Research participant E emphasised that one must keep paedophiles away from children, and the only way to do this is to manage their behaviour. This entails that paedophiles must be registered, so that when they move into a neighbourhood all the nursery schools and primary schools can be notified that a sexual predator is living or working in their neighbourhood. On the other hand, research participant D stated that he cannot see the need for a sex offender register. He said that he is concerned with the logistics, namely where such a register will be kept and under whose auspices it will function. He postulated that he is also concerned about the

implementation of a register of this ilk, as well as the possible victimisation that could result from it.

Although it can be derived from the abovementioned that a sex offender register can be advantageous, as it can possibly contribute to the management of paedophiles, it will be of no use if it is not at everyone's disposal. In other words, every employer that employs individuals that work with children must have access to this register. On the other hand a sex offender register could infringe on the human rights of the paedophile, in the sense that he may be victimised, his privacy may be invaded, and that he may be discriminated against on the basis of his sexual orientation. More research, such as the current investigation by the South African Law Reform Commission is needed to determine the effectiveness of implementing a sex offender register.

5.1.6.7 Rehabilitation of paedophiles

Research participant C was adamant that paedophiles that are sent to prison will not be rehabilitated. The fact that the offender is placed back in the community after incarceration is in particular problematic. According to him, the problem lies with the focus of the Criminal Justice System, which is on retribution instead of rehabilitation. Research participant E added that it is impossible to cure or rehabilitate paedophiles, since one can only monitor them and limit the possibility of them coming into contact with children.

5.1.6.8 Social fabric of the community

Research participant C emphasised problems with regards to people's relationships, sexuality, responsibility and socio-economic circumstances and how this related to Internet paedophilia. Despite the fact that SA has one of the most progressive Constitutions in the world, the research participant is of the opinion that our social community is not functioning properly. Instead of focusing on the changing of legislation, the focus must be on changing the social environment. This implies that the community must unite, and people

should be educated with regards to the maintaining of positive relationships, healthy sexual interests and taking responsibility for their own lives. Research participant C also stated that socio-economic circumstances should be addressed by the government.

5.1.6.9 Moral values of parents and their children

Research participant E postulated that it is essential that parents teach children moral values. Parents or guardians have an important role to play in the upbringing of their children. As stated by research participant E, parents are not the best example that children have, they are the only example. Research participant C and E both agreed that the core of the problem is not insufficient legislation, but a lack of moral values.

Following a parliamentary debate on the alarming incidence of child rapes and abuse on 14 November 2001, the South African government announced that it considers the issue of urgency. Thus came into being, the Moral Regeneration Movement in SA, which recognises and endorses concerns expressed about the lack of moral values in SA society. This movement envisages that the building of a community with a strong moral fibre, and spiritual life should be able to eradicate anti-social ills such as Internet paedophilia, by affirming the values expressed in the SA Constitution (Act No. 108 of 1996). The strengthening of the family as a key institution in this process is highlighted. The views of research participants C and E is therefore strengthened by the South African government's position, as the rejuvenating of the moral fibre of society, by building on the values enshrined in the Constitution (Act No. 108 of 1996), is an important step towards finding a lasting solution for anti-social problems such as paedophilia (Ngubane, 2002).

5.1.7 THE ROLE OF CYBER FORENSICS

The data analysis indicated that it is possible to retrieve hidden and deleted images. In addition, even though it is complicated, ways to trace the perpetrator who uses the Internet to gain access to children for sexual purposes do exist.

5.1.7.1 Hidden and deleted images

Research participant A explained that even though information could be deleted from the recycle bin of a computer, it could still be retrieved with special software. In addition, he referred to steganography which refers to a technique where a picture is taken and small pieces of the picture are altered. He also referred to PowerPoint presentations, where one picture is placed over another picture (e.g. one sees a picture of a tree or mountain at first glance, but when one moves the picture, a child pornography picture appears). This finding corresponds with existing literature (see section 1.3.2.4), namely that a photograph might be presented as an innocuous image, for example as a picture of a dog. Once the image is deciphered, a picture containing child pornography may appear (Sexual exploitation, n.d.).

5.1.7.2 Ways to trace the perpetrator who uses the Internet to gain access to children for sexual purposes

Research participant C suggested that it is possible to trace perpetrators who misuse the Internet, except if they are extraordinarily cunning. Research participant D disagreed with this, and stated that because the Internet has no boundaries, it is problematic to trace an Internet perpetrator. Internet perpetrators are familiar with ways of using the Internet without leaving a trace. In other words, it is not always possible to trace a perpetrator who uses the Internet to gain access to children for sexual purposes. According to Hardy (n.d.) the Internet serves as a sophisticated technological system, which makes it difficult for law enforcement agencies to trace users of the

Internet. Even though every computer has an IP address that works like a phone number and can be traced, it is not always possible to identify an individual machine with certainty, due to shared IP addresses, as well as dial-up access with dynamically assigned IP addresses, for instance at hotspots (Chat wise, street wise – Children and Internet chat services, n.d.).

It is clear that various discrepancies exist with regards to the findings, especially relating to the defining of child molestation, the effectiveness of legislation, jurisdiction, as well as a possible link between cybersex addiction and sexual offences. This highlights the fact that further research is essential.

5.2 ACHIEVEMENT OF THE AIMS OF THE STUDY

The achievement of the aims, as set out in section 1.5 will be discussed in the next section.

5.2.1 METHODS UTILISED BY SEXUAL OFFENDERS TO MAKE CONTACT WITH ADOLESCENTS VIA THE INTERNET

The first aim of the study was to determine the methods utilised by sexual offenders to make contact with adolescents via the Internet. Although only one source could be found regarding this aspect within the South African context (Safeguarding children on the Internet, n.d.), the information in the other sources, was applicable to the South African context as well. This is possible as the Internet is a medium that is used worldwide. Due to the fact that the Internet is a contemporary avenue that is being used by sexual offenders to gain access to children, there is a dearth of knowledge and research with regard to this phenomenon, especially in SA. Thus the researcher was obliged to use international websites and sources of information to achieve this aim. During the interviews with the experts, only one research participant could recall a case where a child was approached by a sexual offender via the Internet. Although only one incident was reported, it became evident that similar grooming methods as outlined in section 2.4.1 were used. Due to the fact that only one case where a child was approached

in a chat room was identified, and one cannot generalise based on one case, the researcher only partially achieved this aim.

5.2.2 EXISTING PREVENTATIVE MEASURES FOR CURBING OR PREVENTING THE USE OF THE INTERNET FOR SEXUAL ACTIVITIES WITH ADOLESCENTS

The second aim of the study was to determine what preventative measures exist for curbing or preventing the use of the Internet for sexual activities with adolescents. With regards to these aspects, the research participants were of the opinion that existing preventative measures are insufficient, and that not enough is done to protect children against sexual offenders on the Internet. Research participant A was of the opinion that the enforcement of legislation is insufficient. Even though he is an IT expert, he was only aware of one filtering and blocking software programme, namely *Cybercop*. Research participant B was not aware of any preventative measures that are currently being used. Research participant C stated that the enforcement of legislation as well as the implementation of preventative measures is inadequate. Research participant E confirmed that no preventative measures for curbing or preventing the use of the Internet for sexual activities with adolescents exist. Research participant D said that the SAPS website contains information with regards to the prevention of Internet sexual activities with children and provides tips for prevention. He was also of the opinion that legislation is sufficient to regulate the problem.

It is evident that there may be a lack of existing preventative measures to curb Internet related sexual activities. Possible reasons for the shortage of prevention programmes may be attributed to limited research, a lack of expertise with regards to the development of prevention programmes and/or the believe that Internet paedophilia is not a problem in SA.

Since the researcher succeeded in gaining insight into the preventative measures that are currently implemented in SA, or the lack thereof, this aim was achieved. With regards to preventative measures used internationally, literature was used to obtain the relevant information.

5.2.3 EXPERTS' VIEWS ON THE EFFECTIVENESS OF CURRENT LEGISLATION FOR CURBING OR PREVENTING INTERNET SEXUAL ACTIVITIES WITH ADOLESCENTS

The third aim of the study was to determine the view of experts with regards to the effectiveness of current legislation for curbing or preventing Internet sexual activities with adolescents. Relevant legislation was discussed in section 2.5.3. The research participants had opposing views regarding current legislation. Research participant A was of the opinion that legislation is inadequate and that the anonymity provided by the Internet, makes it difficult to regulate. Research participant B also indicated that current legislation is insufficient. This respondent postulated that the monitoring of the age of an Internet user is impossible. The inability to monitor the age of an Internet user, complicates matters. He also reiterated that legislation is a reactive process, as it only comes into effect after a crime has been committed. In view of this reactive nature of legislation, he insisted that all the current measures are ineffective in protecting children.

According to research participant C, there is always room for improvement. Legislation cannot be blamed, as the social fabric of the community also contributes to this social problem. He emphasised that the community needs to be reformed, and that changes need to be made with regards to societal problems. Societal issues, such as lack of morality, and respect for human life and dignity should be attended to. He added that the community always blames legislation and the Criminal Justice System for not working effectively, without taking into account that the legal system is only set in motion after a crime has already been committed. Thus, legislation can only do so much to deter crime. According to him, legislation is effective, but the application and expertise of people working within the Criminal Justice System are inadequate.

Research participant E maintained that legislation exhibits many loopholes, and that current legislation is ineffective. Jurisdiction is also a problem, as something that is illegal in one country, is not always illegal in another country.

Research participant D had a different take on this matter. He stated that the Films and Publications Act (Act No. 65 of 1996) is the best Act in the world. This Act was formulated by a sub-group that compared various Acts of different countries. Loopholes that were identified were addressed in the Films and Publications Amendment Act (Act No. 34 of 1999) and the Films and Publications Amendment Act (Act No. 18 of 2004). The researcher is of the opinion that this aim was also achieved, since the views of the experts with regards to current legislation were obtained.

5.2.4 EXPERTS' VIEWS ON THE EFFECTIVENESS OF CURRENT FILTERING AND BLOCKING SOFTWARE TO PREVENT INTERNET SEXUAL ACTIVITIES WITH ADOLESCENTS

The fourth aim of the study was to determine the effectiveness of current filtering and blocking software used to prevent Internet sexual activities with adolescents. This was discussed in section 2.5.4. Three of the research participants were aware of the existence of filtering and blocking software. Research participant E said that he knew that monitoring software existed. Research participant B referred to the use of a firewall to block certain content on the Internet. Research participant A referred to Cybercop, a filtering and blocking programme that is generally easily obtainable. He stated that although he has not worked with the programme personally, he was aware of its existence. He explained that one must provide a list of blocked sites for the programme to prohibit access to inappropriate sites. In addition, it can also identify certain words that are on the list, and will prohibit access to websites that contain those words. Unfortunately, it cannot block a person if they want to access a site which is not listed. This programme is also ineffective when it comes to the scanning of pictures. Furthermore, the installment of the programme can also lead to the user's computer being slowed down, especially if it has to scan through a lot of content. In addition, the programme can also prohibit access to useful information which is blocked because it contains a certain word. Since only three of the research participants had limited knowledge of filtering and blocking software, no generalisations can be made with regard to the effectiveness of current

software to prevent Internet sexual activities with adolescents. The aim was therefore only partially achieved.

5.2.5 MEASURES TAKEN TO MAKE PARENTS, CAREGIVERS AND CHILDREN MORE AWARE OF THE DANGERS THE INTERNET POSES FOR ADOLESCENT CHILDREN

The fifth and last aim of the study was to determine to what extent measures are taken to make parents, caregivers, teachers and children more aware of the dangers the Internet poses for their adolescent children. Parental awareness was discussed in section 2.5.5. Research participant B was of the opinion that one can make parents more aware of the possible dangers children may encounter while working on the Internet. However, he was unsure whether it will make a difference, seeing that parents do not really have control over when children access the Internet, or what they encounter while using the Internet. He stated that children are more knowledgeable regarding the use of a computer and the Internet than their parents and that they also know how to bypass safety precautions installed by their parents. Research participant D indicated that the Internet has no boundaries and he emphasised that no international law exists regarding the governance of activities on the Internet. Due to the fact that there are ample places where one can gain access to the Internet, there is no way to limit access sufficiently. He suggested that awareness campaigns and lectures regarding parents' responsibilities with regards to their children's access to the Internet, is the only way to make parents more aware of possible dangers that lurk on the Internet. According to him, the SAPS has a webpage (www.saps.gov.za) where tips regarding parental responsibilities with regards to the Internet are clearly stipulated.

Research participant E was adamant in his opinion that awareness campaigns for parents are currently insufficient. He stated that one can also not expect parents to take responsibility for their children if they are not properly educated regarding contemporary avenues that are being used by sexual offenders to gain access to children. Research participant E stated that parents should be educated to ensure that their children are aware of the

impact of pornography, and how easy sexual predators can gain access to children via the Internet. Although the parents can ensure that their children do not access harmful content on the Internet while they are at home, they could gain access at a friend's house. If an activity of this kind takes place they should have the insight to know what the difference is between right and wrong.

With regards to the awareness of children, the research participants made the following comments: Research participant B was unsure whether making children more aware will prevent Internet activities with strangers or access to websites with a sexual theme. Children are curious creatures, and awareness campaigns could stimulate children to investigate the issue that is causing the problem. Research participant C was of the opinion that children might get involved in deviant behaviour because they do not know that it is wrong to exchange personal information with strangers in chat rooms, and/or to watch pornography on the Internet. It can thus be deduced that even though most of the research participants were of the opinion that it is essential to make parents and/or caregivers and children more aware of the dangers the Internet poses for adolescents, awareness campaigns are limited. Since the measures that should be taken to make parents and/or caregivers as well as children more aware of the dangers the Internet poses for adolescents were determined, the researcher is of the opinion that this aim was achieved.

5.3 SHORTCOMINGS OF THE STUDY

The following shortcomings were identified during the research:

- Due to the fact that Internet paedophilia is a contemporary issue, there is a dearth of knowledge in this regard. As a result, only limited South African sources could be obtained, and as a result the researcher had to focus primarily on international sources. This also necessitated the extensive use of Internet articles.

- Due to the fact that Internet paedophilia is a relatively new phenomenon, it was difficult to identify research participants (experts). Renowned scholars in the field of child sexual abuse, who were approached, indicated that they did not have extensive knowledge regarding Internet sexual activities with adolescents. Due to a dearth of knowledge amongst experts concerning this topic, a larger sample was not possible. The difficulty in finding research participants accentuates that Internet paedophilia is a contemporary phenomenon, which justifies further research.
- No statistical evidence regarding Internet paedophilia in SA could be obtained, as paedophilia is placed under the broader category of sexual offences, namely rape and indecent assault. The researcher could thus not ascertain the prevalence of Internet paedophilia in SA.
- To date, no theories that explain the dynamics or possible reasons for Internet paedophilia have been developed. Despite this problem, the researcher decided to highlight some theories, namely the four factor model of Finkelhor and Araji (1986:145) in order to explain paedophilia in general, as well as the gratification approach of Blumler and Katz (an information technology theory in order to attempt to explain why paedophiles use the Internet to gain access to children (De Beer, 1998:21). This was discussed in section 2.3.1 and 2.3.2. The development and empirical testing of relevant theories, to come to a greater understanding of Internet paedophilia is thus warranted.

5.4 RECOMMENDATIONS FOR THE RESTRICTING OF INTERNET SEXUAL ACTIVITIES WITH ADOLESCENTS

The following are recommendations to prevent or reduce children's risk of becoming victims of sexual offenders via the Internet.

5.4.1 Recommendations for parents

Based on existing literature, and the fact that the research participants emphasised the role of parents in preventing Internet sexual activities with adolescents, the following prevention measures are recommended:

Parents should under no circumstances post a picture of a child on any website, as paedophiles could include the picture in a child pornography collection and claim that he had sexual intercourse with the child. The picture can also be altered by superimposing the child's face on the naked body of an adult, or another child's naked body. Technology also enables paedophiles to alter the characteristics of the body. If a person requests parents to send photographs of their children via e-mail, they should be suspicious. Parents should also take cognisance of the fact that even though people can have a website and can claim that they have a modeling agency, this does not mean that they represent a legitimate agency. Anyone can set up a website for a minimal fee (Spector will protect your children, n.d.).

Parents should educate children regarding the dangers of interacting with a stranger on the Internet (Spector will protect your children, n.d.). This was emphasised by research participants C, D and E. In addition, parents should educate children to never accept a face-to-face meeting with someone whom they have met online. It is essential that parents should insist on knowing with whom their children are chatting online. If possible, they should arrange to meet these online friends, just as they would normally do with their children's other friends (Getnetwise: About kid's safety, n.d.).

Parents can monitor the Internet history to make sure that their children are not visiting inappropriate websites (Getnetwise: About kid's safety, n.d.). However, as research participant B stated, with regards to the Internet, children are more knowledgeable than their parents and they know how to delete the Internet history. Parents can also install filtering or blocking software, for instance Net Nanny (available at <http://www.netnanny.com>), Cybersitter (available at <http://www.cybersitter.com>) or Cybercop (available at

<http://www/cybercop-software.com>) to block, or filter inappropriate content. Net Nanny features a programme, Net Nanny Chat monitor that can be installed to record conversations that children are having in chat rooms, and that notifies parents of possible dangerous situations. In addition pop-up cleaners can be installed to prevent inappropriate content from appearing while the child is surfing on the Internet (Wright, 2004:49). Parents should however be informed, that installing the software does not mean that children are safe from sexual predators. Research participant E emphasised that children may be exposed to inappropriate content at a friend's house. Thus, it is essential that parents make children aware of Internet pornography and inform them of the possibility that a paedophile can interact with them in a chat room. Children need to know what impact it can have on their lives, and they need to be taught right from wrong. Research participant D agreed and said that even though parents could have filtering and blocking software on their computer at home, children might gain access to the Internet at a neighbour's house, or at an Internet café.

Parents should preferably place the computer in a public area of the house, for instance the lounge, and not in the child's bedroom. It is also advisable that parents encourage children to use monitored chat rooms that are supervised by a reputable company or organisation (Getnetwise: About kid's safety, n.d.). If parents suspect that someone is trying to lure their child into an inappropriate conversation or possible meeting, they should report it to the police (Maree & Van der Merwe, 1999:62).

Awareness campaigns aimed at parents is a necessity, as parents must take responsibility for their children's behaviour and educate them. It is essential that they are provided with the tools and the knowledge to educate and protect their children against sexual predators on the Internet. Although the SAPS's website has certain safety tips and advise on how to protect children from Internet paedophilia, more awareness programmes should be launched at for instance churches, schools and community centres. The media can also contribute to awareness. An example of a programme that can be utilised for the awareness of parents is the PET (Parent Effectiveness

Training) programme. This program was developed in order to provide parental training with regards to family structure and bonding, how to monitor children's behaviour effectively and how to improve interaction between parents and children. This program is generally recognised as a very effective crime prevention/reduction initiative. These PET programmes would be an ideal forum to address and prevent/reduce Internet paedophilia and could possibly be coordinated by the Department of Social Development (Starke, 1994:50). The researcher learnt that two programmes featuring Internet paedophilia were aired on the Oprah Winfrey Show up to date. It is however essential that South African programmes and documentaries that highlight the dangers of sexual predators on the Internet is produced as well. In addition, campaigns should be launched where tips for protecting children against harmful content, as well as the online lingo used when communicating on the Internet, or via sms, are printed in newspapers or magazines. The article, 'Fighting child porn' that was written in the SA Computer magazine (Wright, 2004:49), can serve as an example. However, since the magazine targets a specific audience, namely a computer literate audience, other magazines that target a broader spectrum of the community, should feature similar articles.

5.4.2 Recommendations for children

Since children are the victims of paedophiles, it is essential that they are educated with regards to the dangers surrounding the online environment. As research participant E stated, children should be educated about the Internet, and how easy it is for a paedophile to make contact with a child. The outcomes-based education system provides the ideal opportunity to include certain key aspects into the curriculum. Children can be educated about the impact of pornography as well as the possible dangers of interacting in chat rooms.

Parents also need to instill certain ground rules that apply to their children when they connect to the Internet. Children should know that under no circumstances are they allowed to provide their name, address, telephone number, school name or location, passwords or any identifiable information

via the Internet. They should be informed that any information that is shared online, is like giving a stranger a key to your house (Childnet International, n.d.). In addition, they should know never to give out a credit card number online without a parent being present, as credit card numbers are frequently requested in order to gain access to child pornography websites (Getnetwise: About kid's safety, n.d).

Children should be informed that they should always tell their parents if something confusing has happened on the Internet, or if they feel scared or threatened. They should be taught not to respond to online messages that contain words that are scary, threatening or that sound suggestive. If they receive a message of this nature, they should make a printout of the page. If the parents then decide to report the incident, the printout could be very handy during the investigation (Getnetwise: About kid's safety, n.d.). Children should remember that they are in charge in a chat room, and they can leave anytime and as soon as someone makes them feel uncomfortable.

It is important that children know that they should remain in the public areas of a chat room where other people in that chat room can follow the conversation. Children should be taught not to open any attachments, or download unknown files unless they know and trust the sender (Chat wise, street wise – Children and Internet chat services, n.d.).

5.4.3 Recommendations for the SAPS (South African Police Service) and FCS (Family, Violence, Child Protection and Sexual Offences Unit)

Awareness and educational programmes, aimed at educating parents, caregivers and children, should be implemented at schools and churches in order to advise them of the potential risks that children face when using online chat services, and to educate them with regards to the dangers of the Internet. In addition, a user-friendly reporting system should be put in place, to facilitate prompt reporting and subsequent investigations of incidents that involves indecent behaviour on the Internet (Chat wise, street wise – Children and

Internet chat services, n.d.). It is important that contact details for this reporting service is provided at awareness and educational campaigns.

It is furthermore essential that police officers receive specialised training in apprehending offenders of Internet related sexual activities. It must also be ensured that they have sufficient resources, such as the necessary equipment and software packages (e.g. AccessData Forensic Toolkit [FTK]) to ensure an effective response to reports of incidents in chat rooms (Improving child protection on the Internet: A partnership for action, 2001). According to research participant A, police officers lack the necessary skills to curb Internet sexual activities with adolescents. He referred to police officers in the USA who monitor chat rooms and can remotely view the discussions in the chat rooms. When the researcher enquired whether it is possible for the SAPS to conduct similar monitoring actions in SA, research participant A replied that the SAPS do not have the necessary capacity. In addition he added that these monitoring actions are specialised and uncertainty exists whether the SAPS has the necessary skills to perform these investigating procedures. Skills training and capacity building in this regard is thus necessary. The researcher is also of the opinion that the government should invest in establishing more Task Teams similar to the new Internet Task Team that was established in SA during October 2005, who can monitor and apprehend offenders using the Internet for sexual offences (Ekron, 2006). These task teams should function on an international (co-ordinated by Interpol), national and local level.

5.4.4 Recommendations for the Information Technology (IT) industry

IT specialists should look into ways to increase the traceability of online sexual predators. As discussed previously, dynamically assigned IP addresses and shared IP addresses make the tracing of offenders problematic (see section 1.3.2.3). Research participants A, C, D and E also emphasised that the tracing of an offender on the Internet is problematic. It is also recommended that individuals from the IT industry launch awareness campaigns where they educate the community on the advantages and disadvantages of using filtering and blocking software.

It is clear that the prevention of Internet sexual activities with adolescents involves a multi-disciplinary approach. It is of paramount importance that parents and children receive the necessary education, so that they can be aware of, and possibly prevent becoming a victim of Internet paedophilia. In addition, the SAPS, FCS as well as the IT industry must acknowledge the seriousness of this phenomenon and work collectively to try and curb the use of the Internet for sexual activities with adolescents. Thus more knowledge and expertise are required, and that can only be achieved through conducting scientific research, similar to this study.

5.5 RECOMMENDATIONS FOR FURTHER RESEARCH

Based on the literature review and the findings of the current study, needs for further research within the following fields were identified:

- An investigation into the *modus operandi* of the Internet paedophile. Interviews should be conducted with paedophiles who used the Internet as a medium in order to gain access to children
- A victimological study regarding the effect that Internet paedophilia could have on a child. In other words a comparative study including victims of both traditional paedophilia and Internet paedophilia to determine if these children are affected differently by their experiences.
- An explorative study regarding contemporary technological means that contributes to the sexual abuse of children. This is essential, especially since even the experts do not have sufficient knowledge in this regard.
- An investigation into the clinical evaluation and classification of paedophiles at psychiatric units to determine how often these evaluations and classifications are done and what procedures are followed.
- An investigation of possible problems encountered with jurisdiction in child pornography and Internet paedophilia cases.
- An empirical study regarding the implementation of a sex offender register.

- An investigation into the problems surrounding the tracing of a perpetrator that used the Internet for sexual activities with children.
- Research with regards to the applicability of existing filtering and blocking software, since it is not commonly used in SA.
- Research on how police capacity and resources could be improved to address Internet paedophilia.

5.6 VALUE OF THE STUDY

It is the researcher's notion that this study will make a contribution with regards to knowledge of existing methods aimed at restricting the use of the Internet as an avenue to initiate sexual activities with adolescents. The study has indicated that this global problem is still vaguely grasped in SA. The fact that only one reported case of a child in SA who was approached by a paedophile online was identified, accentuates the dearth of knowledge regarding this social problem. International scholars have emphasised that this social ill is a fuzzy phenomenon. Although Internet paedophilia is not easily detectable, it is still a serious problem that warrants attention.

As there is a perception that Internet paedophilia is not a common occurrence in SA (without any scientific evidence to prove the contrary), hardly any existing preventative measures for curbing the use of the Internet for sexual activities with adolescents, exist. This study indicated that legislation is amended as new problems arise, in order to ensure that the problem can be addressed as soon as a report of such an incident is made. In other words, a reactive approach is followed. It is, however, of paramount importance that proactive approaches like awareness campaigns are launched in order to prevent the problem before it occurs. If parents are not aware of filtering and blocking software that they can install to monitor their children's online behaviour, the existence of the software is of no use. The study indicated that although various effective software programmes have been developed, experts in the field of child sexual abuse are not familiar with these programmes.

At present, more than three million South Africans have access to the Internet at home, and this figure increases every year. It is estimated that this figure will increase with 81% by 2008 (Aanlyn in Afrika die plek om te wees, 2006). In other words, 5.4 million South African citizens will have home connections in 2008. When keeping in mind that children spend the majority of their leisure time using computers and being on the Internet, this problem can only become worse in future. It is important to take note of the fact that the three million people who have access to the Internet currently refers to those individuals who have home connections. It excludes those who have access to the Internet at the office via an Internet café or via a computer at someone else's house. The current number of people who have access to the Internet is thus much higher than the estimated three million.

It also deserves to be mentioned that a significant number of these crimes are not reported, as most of the interactions do not lead to a face-to-face meeting. This, however does not mean that no harm was inflicted on the child. As stated in section 5.5 more research in this regard is needed as the current study clearly highlighted the need for ongoing investigation of this social problem.

5.7 CONCLUSION

The Internet gives children the opportunity to explore a new world filled with information and endless possibilities to interact with people across the world. In support of the above statement, research participant C believes that the Internet is a wonderful medium with countless possibilities, but contains a dark side as well. The Internet can be the child's best friend, or worst enemy. Therefore it is the responsibility of all parents, caregivers and the community to protect children against the dangers associated with the Internet. This can only be achieved by having a multi-disciplinary approach where parents, caregivers, the SAPS, the FCS, the government and the IT industry take hands and unite in protecting children against sexual predators on the

Internet. Hopefully this study has made a start into exploring ways in which society can unite in order to protect children against Internet paedophilia. Our commitment might save a child from being abused, our complacency might ruin a significant number of children's lives. Thus, it is the researcher's wish that this research stimulates further enquiries with regards to this social ill.

REFERENCES

Aanlyn in Afrika dié plek om te wees. 2006. *Rapport*, 30 April:9.

Akdeniz, Y. 1997. *The regulation of pornography and child pornography on the Internet*.

[O]. Available:

http://elj.warwick.ac.uk/jilt/internet/97_1akdz/akdeniz.htm

Accessed on 2004/07/09.

Alleydog.com: Psychology glossary. (n.d.).

[O]. Available:

<http://www.alleydog.com>

Accessed on 2004/02/06.

American Psychiatric Association. 2000. *Diagnostic and Statistical Manual of Mental Disorders (IV-TR)*. 4th ed. Washington, DC.

Angelsbreath: A whisper from Kimmie. (n.d.).

[O]. Available:

<http://www.geocities.com/HotSprings/Spa/2079/>

Accessed on 2006/05/30.

Bailey, K.D. 1994. *Methods of social research*. New York: Free Press.

Bartol, C.R. 1999. *Criminal behavior: A psychosocial approach*. 5th ed. Upper Saddle River, NJ: Prentice Hall.

Bartol, C.R. & Bartol, A.M. 2005. *Criminal behavior: A psychosocial approach*. 7th ed. Upper Saddle River, NJ: Prentice Hall.

Bartollas, C. 1997. *Juvenile delinquency*. 4th ed. Needham Heights, MA: Allyn & Bacon.

Benschop, A. 2003. *Child pornography in cyberspace: Traces of crimes*.

[O]. Available:

http://www.sociosite.org/pornography_child.php

Accessed on 2006/02/22.

Bezuidenhout, C. 1994. *'n Kriminologiese ondersoek na die houdings van homoseksuele slagoffers en nie-slagoffers van anti-gay haatmisdade teenoor die Suid-Afrikaanse polisie en die regstelsel*. Pretoria: University of Pretoria. (MA Dissertation).

Bezuidenhout, C. (christiaan.bezuidenhout@up.ac.za). 2006/05/22. *Internet paedophilia*. E-mail to L Campher (laetitia.campher@up.ac.za).

Booyens, K. 2003. The nature and extent of child and youth misbehaviour in South Africa. In Bezuidenhout, C. & Joubert, S. (Eds.) *Child and youth misbehaviour in South Africa: A holistic view*. Pretoria: Van Schaik.

Bunyan, N. & Warren, M. 2004. *Paedophile escapes life for abduction*.

[O]. Available:

<http://www.telegraph.co.uk/news/main.jhtml>

Accessed on 2006/06/01.

Burke, L. (n.d.). *Memoir of a pedophile's victim*.

[O]. Available:

<http://www.wired.com/news/school/0,1383,358432,00.htm>

Accessed on 2004/08/04.

Buys, R. 2000. *Cyberlaw: The law of the Internet in South Africa*. Pretoria: Van Schaik.

Carstens, S. 2001. Stop porno-poort toe. *Die Beeld*, 5 Desember:15.

Casanova, M.F., Solursh, D., Solursh, L., Roy, E. & Thigpen, L. 2000. The history of child pornography on the Internet. *Journal of Sex Education and Therapy*, 25(4):245-251.

Chat wise, street wise – Children and Internet chat services. (n.d.).

[O]. Available:

<http://www.internetcrimeforum.org>

Accessed on 2004/02/26.

Childnet International. (n.d.).

[O]. Available:

<http://www.childnet-int.org>

Accessed on 2002/11/02.

Children's Bill (Bill No. 70 of 2003).

Child sex offenders on the Internet. (n.d.).

[O]. Available:

<http://www.specializedtraining.com>

Accessed on 2002/11/02.

CIA – The world factbook: Communications South Africa. (n.d.).

[O]. Available:

<http://www.cia.gov/cia/publications/factbook>

Accessed on 2004/02/21.

Computer assisted communication and management: Definition of terms.

(n.d.). [O]. Available:

<http://www.hagar.up.ac.za/catts/learner/smorgan/definitions>

Accessed on 2003/10/09.

Conradie, H. 2001. The structure and functioning of child pornography.

[O]. Available:

<http://www.crisa.org.za/downloads/cp.pdf>

Accessed on 2004/08/04.

Constitution of the Republic of South Africa (Act 108 of 1996).

Cook, M. & Howells, K. (Eds.). (1981). *Adult Sexual Interest in Children*.

London: Academic Press.

Cops take explicit pics of teen. 2006.

[O]. Available:

http://www.news24.com/News24/South_Africa/News.html

Accessed on 2006/05/31.

Cyberpatrol: Online lingo. (n.d.).

[O]. Available:

http://www.cyberpatrol.com/resources/online_lingo.aspx

Accessed on 2004/08/27.

Dastile, M.P. (2004). *Victimisation of female students at the University of*

Venda with specific reference to sexual harassment and rape. Pretoria:

University of Pretoria. (MA Dissertation).

David, M. & Sutton, C.D. 2004. *Social research: The Basics*. London: Sage.

De Beer, A.S. 1998. *Mass media towards the millennium: The South African handbook of mass communication*. Pretoria: Van Schaik.

Delport, C.S.L. & Fouché, C.B. 2005. The place of theory and the literature review in the qualitative approach to research. In De Vos, A.S. (Ed.), Strydom,

H., Fouché, C.B. & Delport, C.S.L. *Research at grass roots for the social sciences and human service professions*. 3rd ed. Pretoria: Van Schaik.

Denzin, N.K. & Lincoln, Y.S. 1994. *Handbook of qualitative research*. Thousand Oaks, CA: Sage.

De Reuck v Director of Public Prosecutions, Witwatersrand Local Division and Others 2004 (1) SA 406.

Desir, A. (n.d.). *Pedophilia and the Internet*.

[O]. Available:

<http://www.loyola.edu/dept/philosophy/techne/desir.html>

Accessed on 2002/11/08.

De Vos, A.S. 2002. Qualitative data analysis and interpretation. In De Vos, A.S. (Ed.), Strydom, H., Fouché, C.B. & Delport, C.S.L. *Research at grass roots for the social sciences and human service professions*. 2nd ed. Pretoria: Van Schaik.

De Vos, A.S. 2005. Qualitative data analysis and interpretation. In De Vos, A.S. (Ed.), Strydom, H., Fouché, C.B. & Delport, C.S.L. *Research at grass roots for the social sciences and human service professions*. 3rd ed. Pretoria: Van Schaik.

Dirk Prinsloo skips the country. 2006.

[O]. Available:

http://www.sabcnews.com/south_africa/crime1justice/0,2172,127084,00.html

Accessed on 2006/05/09.

Du Toit, Y.A. 1998. *'n Kriminologiese ondersoek na die aard en impak van pornografie gebaseer op 'n gemeenskapstoleransiemodel*. Pretoria: University of Pretoria. (PhD Thesis).

Du Toit, P. (2002). Internet pornography: A wide focus on how it relates to children. *Child Abuse Research in South Africa*, 3(1): 20-24.

Ekron, Z. 2005. *Ses vas oor kinderporno op Internet*.

[O]. Available:

<http://152.111.1.251/argief/berigte/dieburger/2006/05/16/SK/1/zeporn.html>

Accessed on 2006/05/16.

eMedicine – Instant access to the minds of medicine. (n.d.).

[O]. Available:

<http://www.emedicine.com>

Accessed on 2004/04/06.

- Faller, K.C. 1990. *Understanding child sexual maltreatment*. London: Sage.
- Films and Publications Bill, Second Reading Debate. 1996. Pretoria: Government Printer.
- Films and Publications Act (Act 65 of 1996).
- Films and Publications Amendment Act (Act 34 of 1999).
- Films and Publications Amendment Act (Act 18 of 2004).
- Finkelhor, D. & Araji, S. 1986. Explanations of pedophilia: A Four Factor model. *The Journal of Sex Research*, 22(2): 145-161.
- Fouché, C.B. 2005. Qualitative research designs. In De Vos, A.S. (Ed.), Strydom, H., Fouché, C.B. & Delpont, C.S.L. *Research at grass roots for the social sciences and human service professions*. 3rd ed. Pretoria: Van Schaik.
- Fouché, C.B. & Delpont, C.S.L. 2005. Introduction to the research process. In De Vos, A.S. (Ed.), Strydom, H., Fouché, C.B. & Delpont, C.S.L. *Research at grass roots for the social sciences and human service professions*. 3rd ed. Pretoria: Van Schaik.
- Gado, M. (n.d.). *Pedophiles and child molesters: The slaughter of innocence*. [O]. Available:
<http://www.crimelibrary.com>
Accessed on 2002/04/29.
- Getnetwise: About kid's safety. (n.d.). [O]. Available:
<http://www.getnetwise.org>
Accessed on 2003/08/26.
- Gillespie, A.A. 2001. Children, chatrooms and the law. *The Criminal Law Review*: 435-446.
- Gouws, E. & Kruger, N. 1994. *The adolescent: An educational perspective*. Pretoria: Butterworth.
- Greeff, M. 2005. Information collection: Interviewing. In De Vos, A.S. (Ed.), Strydom, H., Fouché, C.B. & Delpont, C.S.L. *Research at grass roots for the social sciences and human service professions*. 3rd ed. Pretoria: Van Schaik.

Groth, N.A., Hobson, W. & Gary, T. 1982. The child molester: Clinical observations. *Social Work and Child Sexual Abuse*, 1:129-144.

Hagan, F.E. 2000. *Research methods in criminal justice and criminology*. Singapore: Allyn & Bacon.

Hardy, R. (n.d.). *Using computers in human trafficking investigations*.

[O]. Available:

http://www.iss.co.za/SEMINARS/2004/1105human/hardy_files/frame.htm

Accessed on 2004/08/16.

Haupt, L. 2001. The importance of protecting children against the dark side of the Internet: A legal perspective. *Child abuse research in South Africa*, 2(2): 21-29.

Help stop pedophilia. (n.d.).

[O]. Available:

<http://www.webistry.net>

Accessed on 2004/02/16.

Howitt, D. 1995. *Paedophiles and sexual offences against children*. Chichester, New York: John Wiley & Sons.

How police smashed child porn club. 2001.

[O]. Available:

<http://www.cnn.com/2001/WORLD/europe/UK/02/13/paedophile.police/index.html>

Accessed on 2002/12/08.

Hughes, D.R. (n.d.). Kids online: Protecting your children in Cyberspace.

[O]. Available:

<http://www.protectkids.com>

Accessed on 2003/08/26.

Huysamen, G.K. 1993. *Methodology for the social and behavioural sciences*. Pretoria: Southern Books.

Hyperdictionary. (n.d.).

[O]. Available:

<http://www.hyperdictionary.com/dictionary/modem>

Accessed on 2004/04/06.

Improving child protection on the Internet: A partnership for action.

[O]. Available:

http://www.cyber-rights.org/documents/safe_uk.htm

Accessed on 2002/02/26.

Incestuous and non incestuous offenders.

[O]. Available:

<http://www.ipce.info/host/howitt/1d.htm>

Accessed on 2006/02/24.

Indecency Act (Act 37 of 1967).

Innocence in danger. (n.d.).

[O]. Available:

<http://www.kidsap.org/ChildMolestersAndTheInternet>

Accessed on 2003/03/23.

Internet for beginners. (n.d.).

[O]. Available:

<http://netforbeginners.about.com>

Accessed on 2003/08/29.

Internet child protection. 2001.

[O]. Available:

<http://www.allsands.com>

Accessed on 2002/11/02.

Italy charges 1 500 people in child porn inquiry. 2000.

[O]. Available:

<http://www.cnn.com/2000/WORLD/europe/italy/10/28/rome.porn/index.html>

Accessed on 2002/12/08.

Just harmless fun? Understanding the impact of pornography. (n.d.).

[O]. Available:

<http://www.enough.org>

Accessed on 2003/08/26.

Keeping track of paedophiles. 2000.

[O]. Available:

<http://www.dispatch.co.za/2000/08/04/features/PAEDOPHI.HTM>

Accessed on 2002/12/08.

Kelly, L. 1992. Pornography and Child Sexual Abuse. In Itzin, C. (Ed.) *Pornography: Women, violence and civil liberties*. New York: Oxford.

Labuschagne, G. 2006. Sexual disorders: Paedophilia. *South African Professional Society on the Abuse of Children (SAPSAC) Conference. Seventh Annual National Conference on Child Abuse*. 16-18 May, Pretoria.

Lanning, K.V. 1984. Collectors. In Burgess, A.W. (Ed.). *Child pornography and sex rings*. Toronto, MA: Lexington Books.

Liebenberg, D. 2005. Russe molesteer kinders nie, hoor hof. *Beeld*, 28 Mei:11.

Looman, J., Gauthier, C. & Boer, D. 2001. Replication of the Massachusetts Treatment Center Child Molester Typology in a Canadian Sample. *Journal of Interpersonal Violence*, 16 (8): 753-767 August 2001.

Macmillan, R. 2001. *Bill aims to hammer Net child molesters*.

[O]. Available:

<http://www.newsbytes.com/news/01/168832.html>

Accessed on 2002/03/23.

Mahoney, D. & Faulkner, N. 1997. *Brief overview of pedophiles on the Web*.

[O]. Available:

<http://www.prevent-abuse-now.com>

Accessed on 2002/03/23.

Maree, A. & Van der Merwe, E. 1999. Exposure to child pornography on the Internet. *Acta Criminologica: Southern African Journal of Criminology*, 12(3): 59-66.

Maxfield, M.G. & Babbie, E. 2005. *Research methods for criminal justice and criminology*. California, USA: Wadsworth.

Mayes, G.M., Currie, E.F., Macleod, L., Gillies, J.B., & Warden, D.A. 1992. *Child sexual abuse: A review of literature and educational materials*. Scotland: Academic Press.

Meintjies, R. 2005. The latest developments regards child pornography. *South African Professional Society on the Abuse of Children (SAPSAC) Newsletter*, January 7(1).

Meyer, M., Baber, P. & Pfaffenberger, B. 1999. *Computers in your future*. 3rd ed. Indiana, USA: Que Education and Training.

Mouton, J. 2001. *How to succeed in your Masters & Doctoral studies: A South African guide and resource book*. Pretoria: Van Schaik.

Mouton, J. & Marais, H.C. 1993. *Basic concepts in the methodology of the social sciences*. Pretoria: Human Sciences Research Council.

Inter-departmental strategy team consisting of the Department of Correctional Services, Defence, Intelligence, Justice, Safety and Security and Welfare. 1996. *National Crime Prevention Strategy*. Johannesburg: Secretariat for Safety and Security.

Neopets. (n.d.).

[O]. Available:

<http://neopets.com>

Accessed on 2006/05/30.

Neuman, W.L. 1997. *Social research methods: Qualitative and quantitative approaches*. 3rd ed. Needham Heights, MA: Allyn & Bacon.

Ngubane, B. 2002. *Speech by Dr Ben Ngubane, Minister of Arts, Culture, Science and Technology*.

[O] Available:

http://www.dac.gov.za/news/speeches/2002_04_16.htm

Accessed on 2006/05/30.

Nielsen, J. 1995. *Multimedia and hypertext: The Internet and beyond*. London: Academic Press.

Oelofse, L. 2003. Internet-kinderporno se afmetings al sieker. *Rapport*, 7 September:7.

Parry, N. 2003. *The Internet as an alternative news publishing medium*.

[O]. Available:

<http://nigelparry.net/news/alt-news.shtm>

Accessed on 2006/05/30.

Prins, J. 2004. Kinderporno: man vas. *Beeld*, 2 Oktober:1.

Prins, J. 2005. Kinderporno – man kan teregstaan. *Beeld*, 4 Maart:3.

Review of the Child Care Act: Executive summary. 2002. Pretoria: South African Law Commission.

Rogers, G. & Bouey, E. 1996. *Collecting your data*. Boston: Allyn & Bacon.

Safeguarding children on the Internet. (n.d.).

[O]. Available:

<http://www.safekids.co.za>

Accessed on 2004/04/23.

Scott, J.A. 2001. *The role child sexual abuse can play in girls' involvement in prostitution*. Pretoria: University of Pretoria. (MA Dissertation).

Search WebServices. (n.d.).

[O]. Available:

<http://searchwebservices.techtarget.com>

Accessed on 2006/04/24.

Sex abuse: Internet crimes. (n.d.).

[O]. Available:

<http://www.soc-um.org/online.html>

Accessed on: 2004/08/04.

Sexual exploitation of children. (n.d.)

[O]. Available:

<http://www.missingkids.com>

Accessed on 2003/08/26.

Sexual Offences Amendment Bill (Bill 50 of 2003)

Sexual Offences Act (23 of 1957).

Sgroi, S.M. 1982. *Handbook of clinical intervention in child sexual abuse*. MA, USA: Lexington Books.

South African Police Service & Department for Safety and Security. 2005.

[O]. Available:

<http://www.saps.gov.za>

Accessed on 2006/03/02.

Spector will protect your children. (n.d.).

[O]. Available:

<http://www.pedowatch.org/pedowatch/parenting.htm>

Accessed on 2002/02/22.

Stalking child molesters on the Net. 2002.

[O]. Available:

<http://www.msnbc.com>

Accessed on 2002/12/02.

Starke, H. 1994. Primary prevention and the family: Empowering parents. In Glance, L. (Ed.). *Preventing juvenile offending in SA*. Pretoria: Human Sciences Research Council.

Strydom, H. 2005. Ethical aspects of research in the social sciences and human service professions. In De Vos, A.S. (Ed.), Strydom, H., Fouché, C.B. & Delpont, C.S.L. *Research at grass roots for the social sciences and human service professions*. 3rd ed. Pretoria: Van Schaik.

Strydom, H. & Delpont, C.S.L. 2005. Sampling and pilot study in qualitative research. In De Vos, A.S. (Ed.), Strydom, H., Fouché, C.B. & Delpont, C.S.L. *Research at grass roots for the social sciences and human service professions*. 3rd ed. Pretoria: Van Schaik.

Sykes, P. (n.d.).

[O]. Available:

http://home.intekom.com/intekom/newlookalive/alive/webmistress_980715.stm

Accessed on 2002/02/26.

Tate, T. 1992. The child pornography industry: International trade in child sexual abuse. In Itzin, C. (Ed.) *Pornography: Women, violence and civil liberties*. New York: Oxford.

The GuardianAngel. 2001.

[O]. Available:

<http://theguardianangel.com>

Accessed on 2003/08/29.

The Internet: A short history of getting connected. 2004.

[O]. Available:

<http://www.fcc.gov/omd/history/internet>

Accessed on 2006/03/02.

Theron, A. 1992. Child pornography: Exploitation of the child, effects on the victim, and indications for therapy. *Acta Criminologica: Southern African Journal of Criminology*. 5(1): 49-52.

Tornado reveals child porn cache. 2004.

[O]. Available:

<http://www.cnn.com/2004/LAW/10/04/tornado.porn.ap/index.html>

Accessed on 2004/05/10.

US camp sued over SA child pornographer. 2001.

[O]. Available:

<http://www.dispatch.co.za/2001/08/18/foreign/GAFAMILY.HTM>

Accessed on 2006/05/30.

Van Eeden, J. 2004. Verkragskande tref talle seuns. *Rapport*, 23 Oktober:23

Van Niekerk, D. 1999. *Web Basics*.

[O]. Available:

<http://dewald@niethabitat.co.za>

Accessed on 2004/04/06.

Vaughan, T. 1998. *Multimedia: Making it work*. 4th ed. California, USA: McGraw-Hill.

Wallace, J. & Mangan, M. 1996. *Sex, Laws, and Cyberspace*. New York: Henry Holt.

101 Web advice: What is Internet. (n.d.).

[O]. Available:

<http://www.anownsite.com local-business/what-is-internet.html>

Accessed on 2004/04/06.

Web child porn raids across Europe. 2002.

[O]. Available:

<http://www.cnn.com/2002/WORLD/europe/07/02/europe.porn/index.html>

Accessed on 2002/12/08.

Webopedia. 2002.

[O]. Available:

<http://www.webopedia.com>

Accessed on 2006/05/01.

Williams, N. 1999. *The contribution of hotlines to combating child pornography on the Internet*.

[O]. Available:

<http://www.childnet-int.org/publicat/vienna.htm>

Accessed on 2002/11/02.

World Internet usage and population stats. (n.d.).

[O]. Available:

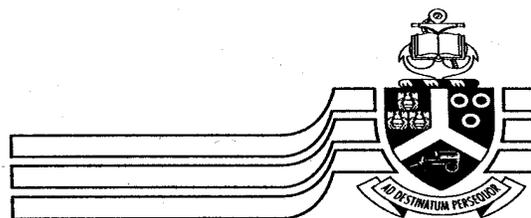
<http://www.internetworldstats.com>

Accessed on 2006/05/01.

Wright, B. 2004. Fighting child porn. *SA Computer Magazine*, April:49.

Wyre, R. 1992. Pornography and child sexual abuse. In Itzin, C. (Ed.) *Pornography: Women, violence and civil liberties*. New York: Oxford.

APPENDIX A



University of Pretoria

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0002
(012) 420 3481 or 082 932 2140

Dear research participant

An investigation into existing measures aimed at restricting the use of the Internet as an avenue to initiate sexual activities with adolescents

Researcher: Laetitia Campher

Thank you for your participation in the current study. The University of Pretoria's Research Proposal and Ethics Committee requires that a researcher should ensure informed consent from a research participant before commencing with the research. Informed consent entails the following:

Informed consent:

- 1. Purpose of the study:** The current study is being undertaken for fulfillment of a Master's Degree in Criminology at the University of Pretoria. The purpose of the research is to investigate existing preventative measures in curbing the use of the Internet for sexual activities with adolescents.
- 2. Procedures:** In order to undertake this study, an interview schedule will be used. The researcher will personally conduct an interview with each research participant. These interviews will take approximately one hour.
- 3. Risks and discomfort:** There are no preconceived risks or dangers associated with participation in the research.
- 4. Benefits:** It must be stressed that no benefits or gains will be achieved by participating in this study.
- 5. Participant's rights:** Participants are free to withdraw at any stage of the research. As participation is voluntary, no negative consequences

will arise from withdrawal. Should withdrawal occur, all data pertaining to the participant concerned will be destroyed immediately.

6. **Confidentiality:** All information will be treated as confidential and at completion of the study, the data will be destroyed. Information will thus only be utilised for research purposes.
7. **Ethical clearance:** The study was approved by the Research Proposal and Ethics Committee of the University of Pretoria.
8. **Questions and concerns:** Should any questions or concerns arise, the researcher could be contacted at the above-mentioned telephone numbers.

I understand my rights as a research participant and voluntarily consent to participate. I understand what the study entails and that I may request a signed copy of this consent form.

Research participant

Date

Researcher

Date

APPENDIX B

SEMI-STRUCTURED INTERVIEW SCHEDULE

An investigation into existing measures aimed at restricting the use of the Internet as an avenue to initiate sexual activities with adolescents

1. What does the concept “Internet paedophilia” mean to you?

2. Are you familiar with new avenues that paedophiles utilise to approach children for sexual purposes such as the Internet? Explain.

3. Have you dealt with cases where an individual utilised the Internet to gain access to children? If yes, explain their *modus operandi*.

4. Does the current South African legislation address the following adequately:
(i) child pornography on the Internet
(ii) sexual activities with adolescents via the Internet?
Explain.

5. If you deem the current legislation as inadequate, what should be done to address this problem?

6. Are you aware of existing preventative measures to curb the use of the Internet for the enticement of adolescents for sexual purposes? If yes, describe the nature of these preventative measures.

7. Discuss the ways in which these preventative measures make the following individuals more aware of the dangers that the Internet poses for adolescents:

(i) parents or caregivers

(ii) children

8. Is there any information that I have omitted in the questionnaire that could contribute to the research?

*Lines for aesthetic purposes only

APPENDIX C

RESEARCH PARTICIPANT A

Research participant A is a manager at a Cyber Security Center. He has an Engineering degree and studied computer science as well.

- **Is u bekend met die konsep Internet pedofilie?**

“Ja”.

- **Wat beteken die konsep vir u?**

“My eerste idee wat ek daarvan gehad het is die *harassment* van kinders deur middel van die Internet, om kinders te *stalk* in *games rooms*, om met hul in *chat rooms* te gesels. Dis my gedagte”.

- **Is u bekend met nuwe middelle soos byvoorbeeld die Internet wat deur pedofiele gebruik word ten einde kinders te nader vir seksuele doeleindes? Weet u van ander middelle behalwe die Internet?**

“Ek weet nie noodwendig daarvan nie, maar ek kan dink dat sms’e ook gebruik kan word”.

- **Kom ons praat ‘n bietjie oor wat u spesifiek doen. Ek weet u werk by ‘n Cyber Security Centre. Wat behels u werk?**

“Baie van ons werk gaan oor *Cyber Forensics*, waar ons help om *evidence* van ‘n rekenaar af te kry, of om gevalle waar daar in rekenaars *ingehack* is te gaan kyk: Hoekom het dit gebeur? Wat het gebeur? Hoe het dit gebeur? Ons gaan kyk ook self of ons kan *inhack*. Ons kyk na metodes, metodologieë. Wat moet ‘n mens doen om te keer dat iemand *inhack*. Ons moet ook soms data terugkry of aflaai”.

- **Het u in die loop van u werk te doen gekry met enige geval waar pornografie, kinderpornografie of Internet pedofilie ter sprake was?**

“Baie min van die gevalle het al na ons toe gekom. Seker so een of twee. Ons weet die polisie kry baie. As ons so ‘n geval kry is dit relatief *straight forward* – mense wat pornografie *gedownload* het”.
- **Die gevalle wat by u uitgekom het, is dit nadat iemand dit gerapporteer het?**

“Ja, klaar gerapporteer, klaar sake gemaak. Rekenaar is *geseize* en na ons toe gebring”.
- **Kyk jul dan bloot wat lê op die hardeskywe?**

“Ja, en na al die ander *files – history* ensovoorts. Probeer om te kyk of daar goed is wat weggesteek was, wat uitgevee is”.
- **Gestel iemand het files *gedelete* van sy rekenaar, kan jul dit nog opspoor?**

“Ja, as dit *gedelete* word gaan dit na die *recycle bin* en kan ‘n mens die inligting daar kry. Selfs al delete jy dit uit die *recycle bin* is dit nog nie weg nie”.
- **Hoe kry jul toegang tot daardie inligting?**

“Ons gebruik spesiale sagteware, ons het forensiese sagteware wat ons gebruik, soos *FTK [AccessData Forensic Toolkit]* wat jou toelaat om dan na daardie inligting te gaan kyk”.
- **So basies installeer jy net die sagteware en dan kan jy toegang kry tot die inligting wat *gedelete* is?**

“Dit klink eenvoudig, maar dit is nie so maklik nie. Jy moet nog steeds die goed gaan haal. Wat tipies gebeur is dat jy net ‘n stukkie van die inligting kry en dan moet jy probeer *uitfigure* wat se tipe *file* dit is. Baie keer is die *headers* van die *files* wat daar geskryf is weg. Partykeer kan ons dit kry. ‘n Ander ding wat die ouens gebruik is sogenaamde *slack space*, waar daar plek gemaak word vir ‘n *file* op die rekenaar - dan gebruik hul nie al

die plek nie en daar is 'n stukkie plek oor wat deur geen ander *file* gebruik kan word nie. Dis toegewys aan 'n spesifieke *file* en dan gebruik die skelms daardie stukkies om goed in te bêre. Dan ook *steganography* – dis waar 'n *file* binne-in 'n ander *file* weggesteek word. Wat hul baie keer doen, is dit sal soos 'n prentjie lyk, maar binne in daardie prentjie is 'n ander prentjie”.

- **Is dit soos waar daar byvoorbeeld 'n prentjie van 'n natuurtoneel is, maar agter dit is daar kinderpornografie?**

“Nee, nie heeltemal nie. *Steganography* is meer waar jy 'n gewone prent vat, 'n prent van 'n berg of 'n boom of wat ookal en dan verander jy klein stukkies van daardie prentjie. Jy bêre jou *file* in 'n ander *file*, maar jy kan nie sien dat daar iets verander is aan die *file* nie. Jy moet baie mooi kyk om te kan sien dat daar iets verander is. Ons het ook al gevalle gesien waar dit byvoorbeeld 'n *PowerPoint presentation* is, maar agter die prentjie is daar iets anders”.

- **Hoe kan 'n mens dan daardie prentjies sien? Het 'n mens 'n *password* nodig?**

“Nie noodwendig nie. Maak die prentjie binne-in *PowerPoint* oop en dan skuif jy net die prentjie 'n bietjie. Baie keer is daar sommer net een prentjie oor die ander een geskuif”.

- **Is u bekend met wetgewing wat betrekking het op kinderpornografie of Internet pedofilie?**

“Al wat ek weet is dat jy dit nie mag hê nie, kinderpornografie foto's op jou rekenaar. Sover ek weet, kyk hul op die stadium daarna dat as jy byvoorbeeld een *image* of dalk twee het, maar as jy meer het gaan hul dalk begin wonder. Tipies as jy kinderpornografie kry, kry jy baie. As jy dalk net een foto het kan jy dalk nog sê dit was 'n ongeluk”.

- **Dink jy wetgewing en bestaande voorkomingsmaatreëls kan as voldoende beskou word om die probleem aan te spreek?**

“Ek dink die wetgewing is daar, maar baie oop vir interpretasie. Ek dink egter tot ‘n groot mate is dit ontoereikend. Die eerste probleem wat jy het, is dit is baie maklik vir iemand om hom voor te doen asof hy ook ‘n kind is. Daardie totale anonimiteit wat jy het op die Internet, maak dit baie moeilik vir jou om rêrig te weet wie sit aan die anderkant. Daar is net niks wat jou keer nie. Dit maak dit maklik”.

- **Is jy bewus van *filtering* en *blocking* sagteware wat gebruik kan word om die probleem aan te spreek?**

“Wel, ek weet van sulke goed, *Cybercop* is een van daardie programme. Ek het nou nie baie met dit gewerk nie, maar ek weet dit bestaan”.

- **Wat spesifiek doen *Cybercop*?**

Jy moet vir hom sê die volgende *website* is geblok. Jy moet ‘n lys van geblokte *sites* vir hom gee, ‘n lys van geblokte *web*, *chat rooms* - sulke goed waarnatoe jy dan nie kan gaan nie, maar daardie goed kan nie rêrig keer as jy na ‘n ander plek wil gaan wat hy nie in sy lysie het nie”.

- **Met ander woorde, die program kan nie ‘n *content search* doen nie, met ander woorde deur die hele *website scan* en kyk of daar iets onbehoorlik is nie?**

“In baie gevalle, ja. Hulle doen ‘n *content scanning*, maar dit werk nie daarvoor nie. Die groot probleem is dit sal nie werk met prentjies nie, daar is te veel inligting en dit gaan ook nie werk in van die *games rooms* nie. Partykeer kan dit nie heeltewel by die *content* uitkom nie. Dis anders as gewone teks. Hy moet *actually* verstaan hoe werk die *games room* se *context* voordat hy dit kan interpreteer en nie al die programme kan interpreteer nie”.

- **Kan sulke programme e-pos monitor, of is dit ook 'n anderste tipe teks?**

“Nie noodwendig nie. As hy die *website* kan doen behoort hy e-pos ook te kan doen. Al probleem met die e-posse is daar is verskillende soorte e-pos”.

- **Maak sulke programme jou rekenaar stadiger?**

“As daar baie inhoud is, ja definitief. As hy deur baie *content* moet *search*. Dit kan ook verhoed dat jy by waardevolle inligting uitkom. Byvoorbeeld 'n voortplantingsbioloog. Baie keer as hy gaan probeer *search* vir relevante inligting sal die *sites* dit *block*”.

- **Ek het al gehoor van sagteware wat *screen captures* doen. Weet jy van so iets?**

“Ek het al gehoor van so 'n program, maar nog nooit so iets gesien nie. Die groot probleem met daardie program is die groot hoeveelheid spasioes wat dit opvat. Een *screen shot* vat baie plek, baie *memory*. Gaan baie plek op die hardeskyf vat en wat is die kans dat ouers na dit als sal gaan kyk”.

- **Weet jy iets van *pop-up cleaners*?**

“Ja, die programme doen *plain pop-up blocking*. Alle *pop-ups* word *geblock* – kyk na die *content* voordat die *pop-up* *geblock* word”.

- **Jy het spesifiek gepraat oor *Cybercop*. Is dit redelik algemeen beskikbaar?**

“Ja, dis algemeen verkrygbaar”.

- **Is daar enigiets wat ek uitgelaat het in die vraelys en wat u voel verdere bespreking noodsaak?**

“Ek kan jou vertel van 'n interessante ding wat ek nou in Amerika gesien het. Die een ding wat die ouers daar opgestel het en van gepraat het, is 'n manier om 'n stuk toerusting by 'n rekenaar te sit wat dan monitor

presies alles wat gebeur. Iemand van byvoorbeeld die polisie kan *remotely* ook sien wat gebeur en in 'n aparte prentjie kan hy praat met die persoon wat op die Internet sit en *chat*. Hulle doen dit om ouers te probeer vang wat in die *games rooms* mense *stalk*. Die polisie offisier wat dan die kennis en ondervinding het, kan dan op sy rekenaar *wherever* hy is, sien wat is aan die gang en dan kan hy vir die kind sê, of *whoever* op die rekenaar besig is, moet dit nou nie so antwoord nie, of antwoord so, of doen dit en al daardie inligting word dan opgevang, so as dit later nodig is, is al die bewyse daar”.

- **Gaan hierdie polisielede uit om mense so te vang, of gebruik hul dit net as 'n moniteringsaksie indien daar 'n klagte was?**

“Dit gebeur partykeer as die ouers sê ons vermoed en hul rapporteer so iets. Die kind wat gemonitor word weet nie altyd nie, maar die ouers weet”.

- **Is dit moontlik dat ons so iets hier in Suid-Afrika kan doen?**

“Ons sal dit hier kan doen, maar ons het net nie die nodige toerusting hier nie”.

- **Indien ons die toerusting kan kry, sal ons mense hier hê wat dit kan doen?**

“Ons het 'n groot probleem met kapasiteit in die polisiemag”.

- **Het ons mense met die vaardighede? Sal iemand wat 'n kort kursus doen die toerusting kan gebruik?**

“Nee, dis 'n bietjie gespesialiseerd”.

- **Ten slotte, kry julle baie sake wat julle moet opvolg? Ongeveer hoeveel sake verwys die polisie na julle toe?**

“Ons het in die laaste jaar met tien *terrabytes* se data gewerk. Dis 10 000 *gigabytes*. Dis 'n groot probleem, dis rêrig 'n baie groot probleem, die hoeveelheid data wat ons moet ontleed, veral as jy goed moet begin soek.

As jy moet pornografie sake of goed soek is daar geweldig baie data wat jy moet deurwerk. Ja, die sagteware en goed wat ons het help, maar dis as die ouens goed begin wegsteek wat dit *tricky* raak, want dan moet jy orals gaan soek. Ja, dis dan spesifiek wat ek ook doen, om tegnieke en goed uit te dink om te help met die soektogte”.

APPENDIX D

RESEARCH PARTICIPANT B

Research participant B is a clinical psychologist and a sexologist.

- **Is u bekend met die konsep Internet pedofilie? Indien ja, wat beteken die konsep vir u?**

“n Persoon wat sy of haar seksueel bevredig deur middel van bepaalde Webtuistes wat geskep is, waar daar kinders uitgebeeld word in direkte seksuele aktiwiteite”.

- **Is u bekend met nuwe middelle soos byvoorbeeld die Internet wat deur pedofiele gebruik word ten einde kinders te nader vir seksuele doeleindes? Weet u van ander middelle?**

“Ek dink ander goed wat nie noodwendig misken kan word nie is goed soos sms’e, wat ook die elektroniese media insluit. Dis nie noodwendig die Internet nie, maar ek is bewus van sms’e waar kinders geïntimideer of geëksploiteer word, deurdat voorstelle aan hul gemaak word vir seksuele interaksie. Nie net noodwendig pedofiele nie, maar verskeie situasies”.

- **Het u al met ‘n geval te doen gekry waar ‘n individu wel die Internet gebruik het om toegang te verkry tot kinders vir seksuele doeleindes?**

“Nee”.

- **Dus, u het net nog nie met ‘n slagoffer of ‘n oortreder van so ‘n geval te doen gekry nie?**

“Ek het al met ‘n oortreder gewerk, ek is tans besig om met ‘n oortreder te werk wat Internet pornografie gebruik, maar nie *per se* om kontak te maak met kinders nie. Hy gebruik wel die visuele materiaal wat deur kinders of deur volwassenes op die Internet geplaas is, maar dit is nie soos *chat* lyne ensovoorts nie. Hy is nie daarby betrokke nie”.

- **Hy gebruik dit dus net as 'n stimuli?**

“Ja”.

- **So dit is die enigste geval waarmee u al te doen gekry het?**

“Ja, maar met 'n paar gevalle al, maar niemand gebruik die Internet om toegang tot kinders te verkry nie”.

- **Is u vertrouwd met bestaande wetgewing ten opsigte van kinderpornografie op die Internet of ten opsigte van Internet pedofilie as sulks?**

“Ja, ek weet wel van wetgewing wat betrekking het op kinderpornografie, maar ek is nie noodwendig bewus van enige wetgewing rakende Internet pedofilie nie, maar ek neem aan dat dieselfde sal geld as wanneer 'n onwelvoeglike voorstel gemaak word aan 'n minderjarige kind”.

- **Voel u dat bestaande wetgewing voldoende is om die probleem te beperk?**

“Nee, want ek dink enigiemand het Internet kontak. Daar is nie 'n manier waarop daar vasgestel kan word nie, jy kan bloot maar net sê dat jy ouer is as 18. Daar is geen manier waarop dit gekontroleer kan word nie”.

- **Is u bewus van bestaande voorkomingsmaatreëls wat gebruik word ten einde die gebruik van die Internet vir die doeleindes van uitlokking van adolessente vir seksuele doeleindes te beperk?**

“Nee”.

- **Glo u dat daar maniere is wat ons voorkoming kan tref en ouers meer bewus kan maak van die probleem met betrekking tot die Internet?**

“Ek dink dat 'n mens ouers meer bewus kan maak, maar ek dink nie dit help op die einde van die dag nie. Jy weet, ek het ook twee kinders en ek sien baie ouers wat ook kinders het, het geen beheer oor waarna daardie kinders op die Internet gaan kyk nie. Hulle kan wel na die *history* gaan kyk en sien wat is opgeroep, en ek het al baie gevalle gehad waar die ouers

ingegaan het op die Internet en dan sien hulle *sites* van 'n seksuele aard en dan verdink die vrou baie keer haar man en intussen is dit die adolessente seun wat op die goed ingegaan het. Dit enersyds, en die ander ding, daar is nie 'n manier waarop jy enige beheer het nie, behalwe as jy 'n *firewall* het in jou Internetstelsel, waar jy enigiets wat te doen het met die trefwoord seks blok. My ervaring is dat kinders baie meer weet van die Internet as die ouers en hul weet hoe om die goed te omseil”.

- **Dink u dit sal help as ons bewusmakingsveldtogte loods ten opsigte van die kinders?**

“Ek wonder dan of 'n mens hul nie nog meer nuuskierig gaan maak nie. Dis dieselfde ding as wat 'n mens kry: Is pornografie sleg vir mense, is daar meer seksuele afwykings by mense wat na pornografie kyk? Daardie navorsing het nog nooit positief gewys nie. My vraag hier is net as jy kinders gaan bewus maak daarvan, gaan jy dit dan nie juis stimuleer nie”?

- **Is u van mening dat mense wat na kinderpornografie kyk nie noodwendig in pedofiliese dade oorgaan nie?**

“Ja, dit is my opinie. In die eerste plek gaan ek amper daardie mense onder die boeg skeur as iemand met 'n *cybersex addiction*. *Cybersex addiction* is juis iemand wat nie noodwendig hulle werklike fantasieë en behoeftes op werklike modelle gaan afdruk nie. Die Internet is 'n onpersoonlike, anonieme bevrediging en dit is baie makliker beskikbaar as wat hulle daardie moeite sou moet doen om iemand te benader. Iemand wat dit op die Internet doen het baie meer 'n probleem om interaksie te pleeg. Dis makliker om op 'n anonieme, onpersoonlike wyse daardie interaksie te pleeg, maar ek dink nie noodwendig iemand wat op die Internet oor en oor daarna gaan kyk, het noodwendig 'n groter geneigdheid om dit in die werklike lewe te gaan doen nie”.

- **Is u van mening dat pedofiele kinderpornografie as 'n stimulus gebruik?**

“Nee, ek dink 'n pedofiel is heeltemal iemand anders as so 'n Internet gebasseerde *cybersex addiction*. 'n Pedofiel is vir my iemand wat 'n seksdaad met 'n kind as bevrediging gaan ervaar en wat nie stimulasie met die Internet sal verkry nie. *It won't do much for him*. Hulle soek daardie klein kind. Daar is 'n ander sielkundige dinamika wat betrokke is”.

- **Gedurende my navorsing het ek bevind dat baie van die pedofiele 'n groot versameling kinderpornografie besit. Hoe voel u oor hierdie stelling?**

“Ja, ek glo, maar dit is nie waar hul primêre bevrediging lê nie. Dis wel 'n stimulus, maar nie hul primêre bevrediging nie. Ek mag verkeerd wees in my opvatting daarvoor, maar dit is wat ek in praktyk al gesien het. 'n Pedofiel is 'n persoon wat homself omring met kinders, hulle word die jeugleiers en hulle speel sulke rolle, hulle sorg dat hulle in interaksie is met kinders”.

- **Dan is daar natuurlik die argument dat kinderpornografie as sulks alreeds neerkom op die misbruik van kinders en dat meeste kinderpornografie deur pedofiele vervaardig word. Wat is u siening daarvoor?**

“O ja, wel ek kan nie inligting gee daarvoor of dit wel pedofiele is wat dit doen nie. Die feit van die saak is dat ek dink dat daardie kinders op die ouderdomme waarop hul gebruik word meestal ses, sewe, agt jaar oud is. Ek het nog nooit van daardie tipe pornografie gesien nie, want ek hou nie daarvan nie. Ek dink daardie kinders het nie die emosionele, intellektuele vermoë om te weet wat met hul gebeur nie. Met ander woorde die volwassenes wat van beter behoort te weet, forseer en manipuleer die kinders en dit is natuurlik totaal en al verkeerd”.

- **Is daar enigiets wat ek in die vraelys uitgelaat het wat u voel verdere bespreking noodsaak?**

“Dis redelik goed omskryf. Daar is net een ding wat ek graag wil beklemtoon. Jy het dit wel aangeraak. Daar is vir my ‘n verskil in die sielkundige dinamika van ‘n pedofiel en ‘n persoon wat op die Internet fokus en seksuele bevrediging daaruit kry”.

- **Dink u dat ons kan sê dat die Internet ‘n medium is wat deur pedofiele gebruik kan word ten einde makliker toegang te verkry tot kinders?**

“Ek dink daar is ander makliker maniere, byvoorbeeld sosiale aksies van vriende en die vriende se kinders is by hulle. Ek weet van gevalle waar ‘n pa sy dogters seksueel molesteer en tronkstraf word aanbeveel, terwyl ‘n ander man wat twee kinders seksueel betas het, het ‘n vyf jaar opgeskorte vonnis gekry. Dit maak nie vir my sin nie. Wat ek vir jou wil sê is oral word die verskoning gegee van alkohol wat ‘n rol gespeel het. So as jy nou nie weet wat om te doen nie, moet jy maar net sê jy het gesuip. As jy ‘n geneigdheid het tot pedofilie en ‘n paar doppe maak en daar is kinders by die partytjie, is die kans baie groter dat iets gaan gebeur as wanneer jy op die Internet is”.

- **In Engeland en Amerika is die statistieke van kinders wat via die Internet genader word vir seksuele doeleindes baie hoog, tot een uit elke vyf kinders. Wat dink u daarvan?**

“Daardie mense is vir my bietjie meer gevorderd wat elektroniese media betref. Hier by ons moet jy betaal en jy betaal nogals redelik duur. In Amerika betaal jy byvoorbeeld nie vir ‘n lokale oproep as jy op die Internet gaan nie. Hul het ‘n *dedicated* Internetlyn, want hulle *server* is byvoorbeeld in hulle area, so hulle is die hele dag op die Internet gekoppel. Hier by ons is statistieke van mense met *ADSL* lyne en daardie tipe goed bitter min.

Ek dink dat een van die tipe van plekke of volke of groepe in ons land waar kindermolestering ongelooflik hoog is, is onder die Kleurlinge. Gaan kyk

bietjie na die statistiek, die mees grusame kinderverkragtings en seksuele aanrandings en molesterings vind plaas by Kleurlinge. Nou is die vraag: Is molestasie en pedofilie gelyk aan mekaar? 'n Pa of ma wat hul kinders molesteer is nie noodwendig 'n pedofiel nie. Kan gebeur waar die pa 'n woede het teenoor die ma, want sy is nie seksueel betrokke nie, of die pa het 'n intense verwronge liefdesverhouding met sy dogter. Pedofilie is 'n afwyking. *Pedo* beteken hy kan alleenlik homself seksueel laat geld met kinders. As ons byvoorbeeld kyk na *incest* waar die man fikseer op stories waar die ma die seun sou verlei. Die man is 'n hoogs gekwalifiseerde ingenieur. Sy ma het hulle as gesin gelos toe hy 12 jaar oud was. In daardie tyd wat hy sy seksuele ontwikkeling gehad het, het sy ma hulle verwerp en nou gaan hy terug, want hy het die soeke na 'n ma-figuur, maar hy kan dit nie ordentlik ontplooi nie en hy soek 'n vervanging in seksuele kontak. Daar is baie sulke voorbeelde op die Internet.

'n Mens kry spesifieke kategorieë van seksuele fantasieë. So het ek byvoorbeeld 'n ou gekry wat ly aan infantilisme. Hy kan in die aande nie aan die slaap raak as hy nie 'n doek dra nie, hy moet partykeer 'n *waterproof* dra, hy moet in sy doek urineer. So het hy soms 'n seksuele opwekking as die doek vir hom aangesit word. Sy vrou word egter moeg daarvoor dat sy nog 'n baba in die huis het. Die ou ontwikkel egter ongelooflike angs as hy dit nie in die aand kan aansit nie. Hy projekteer sy daaglikse angs en spanning. Daar is 'n hele *website* hieroor. Daar is 'n *website* oor waar jy hierdie groot doeke en *waterproofs* kan bestel in Suid-Afrika. Hul verkry steun op die Internet”.

- **Ek weet nie of u bewus is van die Boylovers *website* nie? Hul het as't ware 'n manifes geskryf oor hul regte waarin hul sê dat hul rêrig lief is vir die kinders.**

“In ons Wet is die interpretasie van daardie Wet baie snaaks. Jy kan met 'n minderjarige seks hê. As daardie persoon toestemming gee, is dit nie noodwendig teen die wet nie. Selfs onder 16, nie onder 12 en so nie. Dogters is geregtig om van 12 jaar af na enige kliniek toe te gaan vir voorbehoeding. Dit mag hul nie geweier word nie. Die algemene

ouderdom in die land van ons wanneer dogters seksueel begin betrokke raak, is die ouderdom van 12 jaar. Dit sluit alle rassegroepe in, is nie net eksklusief in die blanke samelewing nie. Kinders is baie meer seksueel bewus. As jy byvoorbeeld gaan kyk na 'n seun van 16 of 15 is hy al baie seksueel ontwikkel, fisies ontwikkel en miskien emosioneel ook ontwikkel. Hulle kan in 'n verhouding ingaan en as dit met hul toestemming plaasvind is dit nie meer teen die Wet nie. Die Wet is alleenlik daar vir iemand wat gaan kla oor daardie insident”.

- **Is daar nog iets wat u sou wou byvoeg**

“Ek het op 'n stadium 'n lesing gegee oor *cybersex addiction* en in my navorsing het ek gekry dat Reuters in 2001 gerapporteer het dat sekstuistes op die Internet in twee jaar van 22 miljoen na 28 miljoen gegroei het. Kan jy dink dat daar soveel *sex sites* is? Jy kan omtrent enige trefwoord intik en een of ander *sex site* kan verskyn”.

APPENDIX E

RESEARCH PARTICIPANT C

Research participant C is a senior academic in Criminal Law and Medical Law.

- **Is u bekend met die konsep Internet pedofilie en wat beteken die konsep vir u?**

“Ja, myns insiens behels dit twee aspekte. Jy het die Internet wat die medium is waar pedofiliese stimuli gegenerereer word. Waar jy in die verlede die radio, of video of DVD of ‘n rolprent gehad het, het jy nou absoluut die ontwikkeling in tegnologie wat dit moontlik maak om pedofiliese stimuli – ek noem dit pertinent pedofiliese stimuli, want uiteindelik as jy ‘n ontleding gaan doen van wat jy sien is dit dan enige elektroniese beeld wat deur die Internet geprojekteer word en dan natuurlik verskillende Webwerwe wat dan geskep is deur pedofiele en pedofiliese netwerke om dan uiteindelik die pedofiliese toestand, as ek dit so kan stel, te stimuleer.

Ek moet ook dadelik sê dat ‘n mens baie goed moet gaan kyk na die psigiatriese klassifikasie van pedofilie. Die wese van die Internet is een ding, maar die wese van pedofilie is weer iets anders. Daarom moet jy baie seker maak, want ek kyk byvoorbeeld dikwels in die populêre pers wat mense as pedofilie verstaan en dis nie noodwendig altyd seker nie. Ek werk wetenskaplik volgens die klassifikasie van die DSM IV en ek dink dit is belangrik. Dit opsigself is ‘n bietjie van ‘n grysgebied. As jy na die DSM IV gaan kyk, word pedofilie soort van as ‘n onnatuurlike aangetrokkenheid tot kinders onder ‘n bepaalde ouderdom beskryf – daar moet ‘n insidensie wees. ‘n Kontinuum insidensie van ten minste ses maande of meer en selfs binne daardie klassifikasie, ek meen ek neem groot aandag van die inleiding tot die DSM IV waar daar gesê word dit is maar net ‘n klassifikasiestelsel en dis baie hulpvol om so te kyk na ander

psigiatrise werke soos Kaplan en Sadock se *Synopsis of Psychiatry*. Ek weet dit word gebruik tesame met die DSM IV en ek dink nie 'n mens moet net steun op die DSM IV nie. Daar is heelwat goed wat dit moeilik maak. Eerstens om te weet waaroor dit gaan. Dit is baie belangrik dat 'n mens presies weet, want ek meen ons het in ons regsgeeskiedenis nou onlangs in die De Reuck saak, waar De Reuck by Leon van Nierop gelosseer het, die geval gehad waar beslag gelê is op 'n hele aantal kinderpornografiese videobande en materiaal. Hy het byvoorbeeld aangevoer dat hy glad nie 'n pedofiel is nie, hy doen dit vir navorsing.

Die pedofiliese stimulus moet 'n mens gaan uitmaak, manifesteer dit noodwendig in kinderpornografie en daar sal seker mense wees wat vir jou sal sê ja en daar sal mense wees wat sê dis nie eksklusief nie. Die pedofilie is doodeenvoudig net die sneller meganisme en die Internet is dan die medium wat gebruik word en natuurlik is dit 'n wonderlike medium. In Reinhardt Buys se boek in die gedeelte wat handel oor pornografie is daar een van die heel eerste sake wat in die Amerikaanse reg gerapporteer is: *ACLU (American Civil Liberties Union) v Reno* (wat die vorige prokureur-generaal was). Daar is 'n ongelooflike beskrywing van die normale vryheid van spraak wat 'n mens sien en hoekom die Internet so wonderlik is. Dis 'n paradys vir pedofiele of enige ander aktiwiteite, want dis 'n netwerk. Die Internet, dis 'n hele netwerk, web van kontakte, en natuurlik uit 'n psigiatrise oogpunt sal ons sien dat dit deel is van die psigiatrise toestand van pedofilie. Ek weet natuurlik uit werk wat ek gedoen het in die Strafregtelike konteks oor pedofilie, hul sal vir jou sê dis hul heiligdom, die erotika wat hulle as erotika beskou, die hele versameling, die hele netwerk, die uitruil. Dit is hoekom hulle volgens die gemeenskapsopvatting so siek word, letterlik hierdie enklavis van *clips* wat op die Internet bestaan wat dan hierdie afwyking voed en kweek en aanhits.

'n Mens kan ook gaan kyk binne die Kriminologiese verband, as 'n mens gaan kyk na die snellermeganismes vir misdade. Baie van hierdie misdade selfs nie net binne pedofilie nie, begin eers, daar is 'n ontstaan

stimulus tot tyd en wyl daar oorgegaan word tot misdadigheid. Jy sal byvoorbeeld sien dat as jy die geskiedenis nagaan van baie pedofiele, hul eers begin as 'n *voyeur*, waar hul eers die water toets. Hul sal byvoorbeeld eers - en dit geld nie net vir pedofilie nie maar ook vir mense wat ander afwykings het - hul sal eers die hele pedofiliese ervaring as 'n fantasie ervaar. Natuurlik is die Internet wonderlik, dit is deel van die fantasie. Jy kan alleen êrens in 'n kamer sit en jy het toegang tot hierdie hele wêreld. Die eerste ingangspoort is die wêreld van fantasie en dan is die volgende stap wanneer *voyeurisme* nie meer voldoende is nie, die *ekshibisionisme*. Jy kan byvoorbeeld kry dat so 'n persoon hom dan ontbloot aan jong kinders en dan die volgende stappe – daardie stappe, die *voyeur* en *ekshibisionisme* is alreeds misdadig, maar dit word gesien as 'n lae intensiteit misdadigheid, maar gewoonlik gaan dit dan oor in molestering en dan praat ons van onsedelike aanranding binne die Suid-Afrikaanse konteks en dan ook verkragting en ander goed wat daarmee gepaardgaan.

Baie keer sal 'n mens sien dat die wêreld van 'n pedofiel is een van fantasie en daardie fantasie word problematies, want die reg straf nie gedagtes nie, daar moet daadwerklike gedrag wees, maar daardie fantasie gaan dan oor, en baie keer leef hul daardie fantasie uit. Ek dink dit is hoekom hierdie kwessie met die Internet so ongelooflik gevaarlik is, want dit stimuleer, dit stimuleer die fantasie. Dit geld nie net vir pedofilie nie, dit geld ook vir enige ander vorm van pornografie. Pornografie *per se* is nie verbode nie, behalwe pornografie soos jy kan sien in die Films en Publikasiewet, waar dit gaan oor ernstige liggaamlike geweld veral teenoor vroue, pornografie wat bestialiteit uitbeeld en kinderpornografie. Jy mag dit nie eers besit nie. Maar die probleem is omdat jy die medium het, die Internet, is dit 'n geweldige voedingsbron vir die fantasie en natuurlik pedofilie (jy moet maar met 'n sielkundige hieroor praat, want ek is nie 'n deskundige op die gebied nie), is 'n afwyking. Baie min pedofiele kry dit reg om dit te beheer en baie keer het pedofiele al vir my gesê dat hul aangekla is van onsedelike aanranding, kindermolestering, verkragting en dié goed dat hul net die fantasie uitgeleef het. Ek dink dit is belangrik dat

jy in jou M sal gaan kyk na ‘n kliniese hoofstuk oor die aard en wese, psigiatriese en sielkundige ondertoon van pedofilie”.

- **Het u al met ‘n saak te doen gekry wat betrekking het op kinders wat in *chat rooms* geteiken word vir seksuele doeleindes?**

“Ek is nie bewus van enige gerapporteerde regspraak nie. Nie alle sake nie, veral nie Distrikshof en Streekshofsake waar meeste van die sake aangehoor word, word gerapporteer nie. Dis maar meestal Hooggeregshofsake wat dan insluit die Hoë Hof, die Appèlafdeling en die Grondwetlike Hof. Dis eintlik maar die sake wat gerapporteer word in ons hofverslae. Dit gebeur net dat ‘n saak gerapporteer word as dit op appèl of hersiening gegaan het van die Distrikshof of Streekshof. Die Streekshof en die Hof pertinent vir Seksuele Misdrywe is ook ‘n Streekshof en baie min van daardie sake word gerapporteer. Die feit dat dit nie gerapporteer word nie, beteken dus nie dat dit nie aangehoor word nie. Daar is baie sulke sake, dit is net nie gerapporteer nie. Dit is ook eintlik ‘n probleem vir ons.

Ons, in die Straffereg kry wel gerapporteerde sake oor onsedelike aanranding wat miskien pedofilie is, dit was die sneller. Ons het byvoorbeeld en dit is ‘n ander dimensie wat ek aan gedink het: Jy sien altyd die pedofiel, die Internet pedofiel word gewoonlik aangebied as die onbekende of bekende dader of perpetreder van die daad, maar in een van die gerapporteerde sake wel en dis binne konteks van die vonnis, is ‘n pa (*S v Gerber*) skuldig bevind op onsedelike aanranding van sy tienjarige dogter deurdat hy haar privaatdele gesuig het. Daar is min van die saak gerapporteer, want die kern van die saak is maar net dat hul gevra het dat die pa korrektiewe toesig kry en die hof het net gesê dat korrektiewe toesig nie die gepaste vonnis is nie, tronkstraf wel. Ons weet natuurlik nie of daar blootstelling was aan kinderpornografie op die Internet nie. Die sogenaamde bloedskandigheid as jy dit so wil noem, terwyl dit neerkom op pedofiliese bloedskande. Wat daarvan? Gerapporteerde sake is daar regtig min en ek is nie bewus van enige nie. ‘n Ander ding is oor dit gewoonlik so gruwelik is, word die sake *in camera* aangehoor. Die kinders

moet gewoonlik ook getuig, so hulle word beskerm. Daar is spesifieke prosedures wat hulle beskerm. Die pers het nie toegang tot daardie sake nie, met goeie rede. Dis egter 'n dubbel snyende swaard. Dit beskerm die kinders, maar terselfdertyd word die identiteit van die pedofiel ook eintlik beskerm. Daar is 'n lang dispuut by ons en ander lande of ons nie 'n register moet hê van pedofiele nie”.

- **Is die De Reuck saak al afgehandel? Wat presies het daar gebeur?**

“Hy is heeltemal afgehandel. Jy kan beslis na daardie saak ook gaan kyk, want ek dink daardie saak is 'n baie goeie samevatting. Wat hy basies gesê het, is hy het dit gedoen en die Wet laat dit toe. Dis 'n wonderlike meganisme wat ons het. Al daardie vorme van pornografie wat ek genoem het is verbode, behalwe as jy *bona fide* navorsing daarvoor doen”.

- **Mag jy dan kinderpornografie besit?**

“Dan mag jy, of as jy dit doen vir doeleindes van *bona fide* kuns of wetenskaplike navorsing. Nou hy het probeer onder daardie klousule en natuurlik die kwessie rondom, want dis 'n groot ding, die hele debat Grondwetlik, en die Grondwet is die oppergesag van alle reg, gaan oor vryheid van spraak en vryheid van uitdrukking. Die aanvanklike argument van mense is en dit is wat baie pedofiele vir jou sê, is hoekom kriminaliseer julle dit waar ek 'n volwasse persoon is, in my huis sit, my deure is gesluit, ek pla en hinder niemand nie, ek kyk doodeenvoudig net kinderpornografie en tog is dit verbode. Met ander woorde die kwessie gaan daarvoor, jy het die reg op vryheid van spraak, jy het die reg tot vryheid van uitdrukking, maar geen reg is absoluut nie en dit kan beperk word en ingeperk word as dit redelik en aanvaarbaar is binne 'n demokratiese samelewing. Dis presies wat die Wet vir jou sê. In hierdie gevalle, omdat dit onaanvaarbaar is en omdat die gevolge daarvan en die manifestasie daarvan onaanvaarbaar is, word dit dan beperk. Dit is waarom daar grondwetlike beperkings is op gewone regte wat jy sou hê om pornografie te besit of daarna te kyk. Daardie saak stel dit vir jou in duidelike en breë terme. Hy het toe nie geslaag nie. Wat gebeur het, is hy

is aanvanklik skuldig bevind. Hy het die skuldigbevinding na die Appèlhof gevat en hul het dit van die hand gewys. Hy is na die Grondwetlike Hof toe en by die Grondwetlike Hof het hul dit ook verwerp en gesê dit is onaanvaarbaar. Die regte en waardigheid van kinders tel swaarder as jou reg wat jy het tot privaatheid. Hy het toe skuldig gepleit na dit en toe is die saak natuurlik weer terug verwys na die hof toe en hy is gevonniss. Hy het 'n boete van ek dink omtrent R10 000 gekry. Maar goed, tot vandag toe weet niemand werklik is hy 'n pedofiel nie. Dit is wat daardie verweer baie moeilik maak.

Ek het al baie daarvoor gedink. Sê nou maar 'n mens doen navorsing, soos wat jy nou doen of oor kinderprostitusie argumentsonthalwe, en ek gaan op van daardie Webwerwe in want ek wil kyk wat daar gebeur. Vir die een of ander rede tel die universiteitsowerhede dit op dat ek op hierdie Webwerwe werk en die volgende oomblik word ek gearresteer”.

- **Ek verstaan dat die nuwe Wysigingswet op Films en Publikasies van 2004 bepaal dat selfs al doen jy net 'n soektog op die Internet en jy gebruik woorde soos kinderpornografie kom dit alreeds neer op 'n misdaad.**

“Maar dan as jy kan aantoon dat jy dit vir *bona fide* navorsing doen – Jy kan gaan kyk in die skedules van daardie Wet sê hul presies vir jou watter is uitgesluit, want dit is altyd die moeilike ding. As ek byvoorbeeld navorsing doen en ek sê maar hier is dit, ek is geregistreer, soos jy, hier is al my goed, my promotor weet daarvan, dan gaan hul natuurlik sien. Wat 'n mens moet hê vir 'n skuldigbevinding is opset. Dit is belangrik, met ander woorde, die wil en weet dat wat jy doen verkeerd is. So, mense wat nalatig is, word nie getref deur die Wet nie”.

- **Sluit dit die nalatigheid van ouers in? Ek het gelees dat die Wysingswet ook bepaal dat daar 'n rapporteringsplig op ouers lê en as aangetoon kan word dat hulle nalatig was met betrekking tot hul kinders se gebruik van die Internet kom dit ook op 'n oortreding neer.**
“Dis bietjie anders. Dan praat jy van 'n late. As ek nalaat – en as jy gaan kyk na die Konsepwet op Seksuele Misdrywe – dit is nog nie wet nie, maar ek hoop dat dit hierdie jaar kan deurgaen. Daar is heelwat nuwe Artikels ingebring. Die ou Wet van 1957 op Seksuele misdrywe sal dan vervang word. As jy na die nuwe Wet gaan kyk, word daar spesifiek 'n misdaad geskep vir mense wat byvoorbeeld 'n persoon onder 18 – dis die ander ding die Grondwet sê 'n persoon is 'n kind as hy onder 18 jaar is, nou dit is die groot geveg op die oomblik rondom die Wet op Seksuele Misdrywe, hul baklei oor ouderdomsgrense. Tans volgens die ou Wet as 'n meisie onder 16 jaar en 'n seun onder 19 jaar is, dan val dit onder daardie grense waar dit 'n statutêre misdryf kan wees, maar die nuwe Konsepwet op Seksuele Misdrywe maak voorsiening daarvoor dat as jy sou toelaat, hetsy jyself 'n persoon dwing wat onder 18 is, met ander woorde 'n kind om na pornografiese materiaal te kyk, dan is dit 'n misdryf. Nie net as jy dit fisies sou doen nie, met ander woorde 'n persoon dwing om dit te doen nie, maar ook as ouers sou toelaat dat dit gebeur is dit 'n misdryf. In die insident waarvan jy praat gaan dit egter oor 'n late.

Normaalweg as jy iets vergeet, is jy nie skuldig nie. As ek dit so kan verduidelik: As jy jou toebroodjies by die huis vergeet het sal jy maar net vir jou ietsie moet koop, of jy gaan moet honger ly, maar niemand word daardeur geskaad nie. Die regsdoelstelling van die gemeenskap lê soms 'n regsplig op mense, byvoorbeeld jy hou 'n mak bobbejaan aan in 'n hok en eendag vergeet jy om die hok te sluit en daardie oënskynlike mak bobbejaan ontsnap en byt 'n kleuter dood. Daardie ou kan aangekla word van 'n late, want hy was in beheer van 'n gevaarlike voorwerp. Ouers het natuurlik 'n besondere regsplig teenoor hul kinders om hul te beskerm en as hul dit nalaat deur byvoorbeeld toe te laat dat hul kinders aangerand word, geslaan word of blootgestel word aan pornografie, kan hul vervolgd word. Dit is dan 'n strafregtelike late en nalatigheid is voldoende. Jy kan

opsetlik nalaat, jy weet dit gebeur maar jy doen niks, of jy is eenvoudig *careless* of onbedagsaam daaroor, kan jy miskien ook vervolgd word. So al die goed is daar om 'n raamwerk te vestig vir beskerming.

Ek weet nie of dit nog deel is van jou vraag nie, maar my probleem is en dit sê ek baie keer in lesings, die groot probleem lê nie soseer in die regulerende raamwerk nie. Dit is wat mense nie kan verstaan nie. Hulle kritiseer die regstelsel geweldig, maar mense moet ook onthou dat die regstelsel skop in nadat daar alreeds 'n gewraakte daad was. Daar is reeds 'n kind gemolesteer, daar is reeds 'n kind verkrag, daar is reeds iemand vermoor en nou skop die regstelsel in, die polisie kom uit, 'n saak word geopen, iemand word gearresteer, daar is 'n hofsaak. Al wat dit doen is dit prosessee die gevolge en nou sê mense dat die reg meer moet doen om mense af te skrik, maar die reg kan net soveel doen. Jy kan nie meer 'n ou ophang nie, jy kan 'n ou lewenslank tronk toe stuur.

Jy sal weet wat gaan aan in die tronke, niemand word gerehabiliteer nie, want dis 140% vol. Trouens mense kom erger daaruit as wat hul daarin gegaan het. Jy kan vir hul korrektiewe toesig gee, jy kan hul 'n boete gee, maar dit spreek die simptome aan, asook die idee dat 'n mens 'n vonnis moet uitvind wat afskrik of mense sal weerhou. Daar is nou 'n voorbeeld gemaak van iemand en ek moet baie versigtig wees. Die probleem is nie soseer die regstelsel nie, ons het 'n regulerende raamwerk wat baie goed werk, maar dit is reaktief – na die *event*.

Myns insiens lê die probleem in die *social fabric* van die land en dit is waar mense soos sosioloë, kriminoloë, penoloë en maatskaplike werkers inkom. Wat het verkeerd gegaan, wat het gebeur? Ek sê baie keer ook vir die studente, daar is baie mense tussen ons wat pedofiele en psigopate is, maar ons gaan dit nie weet voordat daardie persoon hom- of haarself skuldig bevind aan 'n eksterne manifestasie of daad nie. So dit lyk vir my of die faktore wat ons gebruik om die sosiale bestel te monitor gaan mank, daar is iets daar fout. Die verhoudingslewe van mense, mense se seksualiteit, mense se verantwoordelikheid, sosio-ekonomiese omstandig-

hede, die hele verplasing en magspel in verhoudings, al die tipe van goed. Daarom gaan ons regtig hierdie probleem net aanspreek, veral van pedofilie as jy 'n metode of meganisme kry om alreeds voor die pleging van 'n daad pedofiele te identifiseer. Hier praat ek alreeds daarvan en daar is genoeg navorsing gedoen in die psigiatrie, kriminologie, sosiologie om vir jou te sê daar is maniere om dit vas te stel en om dan regtig op 'n manier sulke mense te rehabiliteer dat hul nie oorgaan tot hierdie daad nie en nou sit ons en dit is so belaglik, ons baklei oor die grense van toestemming met die nuwe Wet op Seksuele Misdrywe. Wanneer gaan 'n persoon gereed wees om toestemming te gee? Die Grondwet sê 18. Hoekom aanvaar ons nie 18 jaar nie, want toestemming is ook 'n vreemde ding. Jy kan miskien verstaan en begryp, maar jy kan nie toestem nie, want jy verstaan nie wat die implikasies daarvan is nie.

Die regstelsel het sy beperkinge – dit hanteer die simptome, maar nie die oorsake nie. Hierdie is 'n probleem. Nou sê mense die regstelsel moet 'n manifestasie wees van die gevoel van die samelewing. Hoe kry jy dit reg? Dit is maklik met goed soos moord en verkragting, maar ons lewe nog in 'n samelewing waar pedofiliese dade binne 'n bloedskundige raamwerk nie kultureel gesanksioneer word nie.

Myns insiens, ek weet dit is 'n baie algemene stelling en ek wil nie op tone trap van mense wat baie goeie en harde werk onder ontsettende moeilike omstandighede doen nie, daar word ook verwag dat jy die dak moet maak sonder strooi. Daar is gebrekkige maatskaplike en sosiale dienste, die mense word nie behoorlik betaal nie, jy het nie behoorlike fasiliteite vir byvoorbeeld kinders wat gemolesteer is nie. Baie van die kinderhuise is afgetakel en ongedaan gemaak. Daar is enorme kulturele probleme, ekonomiese probleme. Als dui vir my daarop dat ons 'n model regstelsel kan hê en ons het 'n model Grondwet, ons het waarskynlik die mees progressiewe Grondwet in die wêreld, maar wat help dit? Kyk wat gebeur op die grond.

So daar is allerhande maniere en jy sal ook weet, hoe jy en meganismes wat jy kan aanwend, internasionale ooreenkomste wat jy kan aangaan met Interpol en die CIA [*Central Intelligence Agency*] en hulle trek hierdie mense vas. Dit is 'n ander ding van die Internet, die Internet het, tensy jy ontsettend vernuftig is en daar is natuurlik maniere om vernuftig te wees, dit is die uiters gevaarlike en sluwe misdadigers – maar daar is gewoonlik 'n verantwoordbare paadjie waar jy kan sien wie het wat gedoen en waar hy was, dit is moontlik.

Jy kan 'n model sanksie hê, maar die vraag is hoekom word mense pedofiele? Word jy so gebore? Word jy 'n pedofiel? Is dit geneties? Daar is baie dieper vrae en die groot probleem is, en ek sien dat wat ons hanteer in die regstelsel, is 'n puntjie van die ysberg. Daar is 'n verval in die sosiale bestel. Ek is nie ingelig om vir jou te kan sê hoekom dit so is nie, waarom dit so is nie, maar dit is so en dit is waar ons sit en wat ons sien. In stede daarvan dat ons 'n proaktiewe program het waar ons pedofilie daadwerklik aanspreek, sien ons toe dat ons allerhande wysigings aan bestaande wetgewing inbring, maak die proseslewering in die howe baie kindervriendelik met anatomies korrekte poppe, ons sit en stry oor ouderdomsgrense, maar ons doen niks aan die sosiale bestel nie. Dit is waar die probleem lê. Daar moet nie 'n kind wees wat gemolesteer word nie, daar moenie 'n kinderlyk wees nie, daar moenie 'n verkragting wees nie. Dit klink seker eufories, maar ek dink daar word te min gedoen om hierdie goed te identifiseer en iets daadwerkliks daaromtrent te doen en dit kom terug na mense se vlakke van opvoedkunde. Jy gaan baie keer agterkom en dit het ons ook al gesien, dat kinders wat deur hul ouers gemolesteer is, veral jong dogters of jong seuns wat deur hul pa's gemolesteer is, weet byvoorbeeld tot op 'n sekere ouderdom nie dat dit verkeerd is nie. Hul het geen ander verwysingsraamwerk nie.

Dit is so ontsettend moeilik, ek meen vat dit nou dat hy sy dogter so gruwelik gemolesteer het, nou word hy tronk toe gestuur en kom weer daar uit. Die reg skud sy hande af, want ons het hom geprosesseer, hy is skuldig bevind, ons het 'n voorbeeld van hom gemaak, die beginsel is

neergelê. Korrektiewe toesig word nie aanbeveel vir 'n pa wat sy kind so gemolesteer het nie. Stuur hom tronk toe en wat nou? Hy kom terug in die gesin en hy is geensins gerehabiliteer nie.

Hoe word slagoffers opgelei? Word daar van kleintyd af vir hul gesê dat dit onnatuurlik is vir 'n pa om saam met sy dogter te wil bad? Hoe moet 'n kind dit weet? Ons het ongelukkig baie probleme met dit en ek weet nie wat die snellermeganismes daar is nie, of dit 'n groter mate van afwyking is nie.

Ons het natuurlik ook die gruwel in hierdie land van babaverkragtings. Is sulke persone pedofiele? Natuurlik moet ons kyk na die kulturele ding dat as jy met 'n maagd van onder tien jaar gemeenskap het sal jy genees word van HIV. Dis problematies. Natuurlik, ek is krities oor die regstelsel en ek sê nie die regstelsel is perfek nie, hoegenaamd nie, daar is baie wat kan verbeter en daar is baie probleme – infrastrukturele, ekonomiese probleme, soos daar is nie genoeg geld nie, daar is nie genoeg middelle wat beskikbaar gestel word nie. Dit kortwiek die regspleging en dit kan 100% verbeter, maar die idee dat die regstelsel hierdie magiese entiteit is, jy kan beperkte boodskappe met die regstelsel uitstuur in terme van vonnis, maar jy kan nie werklik 'n samelewing hervorm nie. Daardie hervorming moet kom uit die sosiale bestel wat aangespreek word deur mense waarskynlik soos kriminoloë, sielkundiges, maatskaplike werkers en ek dink 'n mens moet gaan kyk tot welke mate die gebrek en die afwesigheid soms daarvan – ek meen as ek gaan kyk na vorige jare toe daar ook baie verwaarlosing was van sosiale werkers, was daar in baie opsigte 'n baie goeie sisteem in plek en insidente wat vroeg reeds plaasgevind het, het veroorsaak dat mense ontmasker was. As jy byvoorbeeld nou nie eers kan uitkom by 'n gesin waar daar bewerings is nie, gaan dit net sluimer en ek dink dit is die ding. Baie goed word gerapporteer, maar dit word nie opgevolg nie en dit is die regstelsel en die polisie se skuld”.

- **As ons net 'n bietjie terug kan kom na regspraak, wat gaan aan met die Barbie saak?**

“Dit is nog hangende. Dit is nie vir ons seker wat daar aangaan nie, want alles is nog *sub judice*, 'n mens kan nie daarvoor spekulereer nie. Nog die Prinsloo dame (die Barbie persoon) nog die Prinsloo man is skuldig bevind aan iets. Ons weet dit word beweer dat hul na kinderhuise gegaan het en dan die kinders geneem het onder die vaandel dat hul die naweek by hul gaan deurbring en daar word beweer dat daar toe allerhande onsedelike dinge plaasgevind het. Die saak sal waarskynlik gerapporteer word, want dis 'n Hooggeregshofsaak. Daar is egter baie interprosedurele kwessies – dan wil hul die verhoor skei, dan wil hul die saak teen haar terugtrek en net teen hom aangaan. Maar dis hangend, ons weet nie wat daar gaan gebeur nie, maar nou is die vraag ook weer: Is hulle pedofiele?

Eintlik hoe dit normaalweg werk, dis 'n duur prosedure, maar dit gebeur elke dag in die howe. As jy aangekla word, meestal van 'n ernstige misdaad waar geweld betrokke is, so ons praat van 'n manifestasie van pedofilie, verkragting of moord of selfs strafbare mansslag en dit word beweer reg aan die begin van die saak by die pleitprosedure, kan 'n landdros so 'n persoon verwys vir observasie vir 30 dae. Dan in daardie 30 dae word jy deur 'n span van psigiaters geëvalueer en hulle maak dan 'n diagnose gewoonlik in terme van die DSM IV. Wat hulle dan vir jou sê is dat hulle dink hierdie persoon is 'n pedofiel, maar die pedofilie was nie van so aard dat die persoon ontoerekeningsvatbaar was toe hy die daad gepleeg het nie. Dit is die doel van verwysing en dit geld ook vir mense wat geestelik ongesteld is. Dit is al sulke goed wat grys gebiede is. Dan moet so 'n span - en daar mag ook kliniese sielkundiges deelneem aan hierdie proses - hulle moet dan bepaal kan die ou verhoor word, ongeag wat sy toestand was toe hy die daad gepleeg het. Kan hy verhoor word? Kan hy verstaan waaroor dit gaan? Nommer twee, wat was die vlak van sy toerekeningsvatbaarheid toe hy die daad gepleeg het? Daaroor is daar juridies heelwat, ek gaan vir jou 'n artikel daaroor gee. Daar is wel sake in SA en dis 'n ander ding wat jy moet verstaan, pedofilie is nie noodwendig 'n enkelvoudige verskyning nie. Dit is nie gewoonlik die enigste

snellermeganisme nie. Pedofilie is 'n onderdeel van die groot familie van parafilië. Baie psigopate is ook soms pedofilies. Die ergste graad van pedofilie wat ons al gesien het in terme van moord en verkragting is 'n saak wat ek vir jou die verwysing sal gee – dit was 'n pedofiliese psigopaat. Die snellermeganismes was meervoudig - dit was nie net pedofilie nie. Die saak het daarvoor gegaan of 'n psigopaat 'n geestelike afwyking het en daar is bevind dit is nie, tensy jy kan bewys daar is 'n *nexus* tussen die psigopatie en die aard van die misdaad wat ek dink bewys is, maar die hof wou dit nie aanvaar nie. In die reg, en ek sê dit met respek, is daar nie verskriklike simpatie met hierdie situasies nie. Ek dink natuurlik dit is ongrondwetlik en onbeskaaf. Die fokus lê op vergelding. Dit lê nie op rehabilitasie nie, want die argument is jy kan nie 'n pedofiel rehabiliteer nie”.

- **Ons het nou bietjie gepraat oor die regstelsel en dat ons 'n model regstelsel het. Voel u dat Suid-Afrikaanse wetgewing genoegsaam is om kinderpornografie en Internet pedofilie aan te spreek?**

“Nee, daar is definitief ruimte tot verbetering. Die opleiding om hierdie Internetmisdade of rekenaarmisdade te polisieer moet verskerp word en dit gebeur, maar ek dink ook dit moet verbeter. As jy die *ACLU v Reno* saak gaan lees, sal jy vind die Internet is so wonderlike ding, dat jy dit nie wil beperk nie en dit word ontsettend goed beskryf in daardie saak, maar aan die ander kant bring dit ook sy euwels mee. Die Wet is 'n maklike ding, want dit kan 'n mens wysig en daar was nou al twee wysigings in 1999 en 2004 - soos wat mense die verskyningsvorme van pornografie, kinderpornografie ervaar en beleef. In daardie opsig moet daar verbeterings wees. Ek dink die stelsel is toereikend, maar die toepassing daarvan en die kundigheid ontbreek soms”.

- **Dink u dat jurisdiksie 'n probleem is?**

“Jurisdiksie is 'n probleem, maar dit is 'n aspek wat relatief maklik vasstelbaar is, want dis 'n prosedurele aangeleentheid. Daar is gewoonlik internasionale uitleweringsooreenkomste. Dit is 'n probleem, want waar

kla jy die persoon aan? Die plek waar hy gearresteer is, of die plek waar die oortreding begaan is, want die Internet is grensloos. Dit word gewoonlik maklik binne prosedurele aangeleenthede opgelos en as dit regtig 'n kwessie is rondom jurisdiksie is daar gewoonlik 'n uitleweringsooreenkoms, maar daar word gewoonlik vereis dat 'n persoon iets gedoen het.

Ons het 'n paar gevalle van 'n Australiër wat uitgelewer is aan SA wat hier pedofiliese daade gepleeg het. Gewoonlik word jy in daardie jurisdiksie waar jy gevang word met die pornografiese materiaal, dit maak nie saak nie, soos De Reuck, al sit ek hier en ek kry toegang tot 'n webwerf wat geregistreer is en bedryf word uit Engeland sal dit hier verhoor word. As hy daar was, sou hul hom of daar fisies aankla of alternatiewelik sal hul hom uitlewer. Dit gaan afhang. Hoe dit werk is, as die persoon hier die oortreding begaan het, in Strafregtelike jurisdiksie word jy gewoonlik aangekla in die jurisdiksie waar jy die daad gepleeg het ongeag van jou burgerskap. As jy op 'n skip is, is jy onder die regstelsel van die vlag op die skip. Dit maak dit moeilik met die Internet, maar gewoonlik is die Internetwetgewing veral met betrekking tot Internetpornografie vasgevat in daardie spesifieke jurisdiksie waar dit gepleeg word. Dit is dus gewoonlik nie 'n probleem nie”.

- **Ek het gelees dat sommige regsgeleerdes 'n probleem het met die feit dat *possession* of besit nie in die Wet gedefinieer word nie en dat dit tot gevolg het dat daar onsekerheid is oor wanneer 'n persoon skuldig bevind kan word. Moet hy eers die materiaal *download* of is dit alreeds 'n misdaad om daarna te kyk?**

“In daardie opsig steun ons op die algemene beginsel oor wat besit is. Dit is nie nodig om besit te definieer nie, want ons weet wat besit is juridies. Om in die Strafrege skuldig te wees aan besit, moet daar twee elemente betrokke wees: daar moet 'n fisiese hantering, of beheer wees, maar dis nie genoeg nie. Besit is 'n baie breë begrip – jy besit jou kar alhoewel hy êrens anders staan en jy nie nou beheer daaroor het nie. Ek kom by my huis aan en daar is 'n kinderpornografietydskrif in my posbus. Fisies besit

ek dit, want dit is in my posbus, maar ek het nog nie fisies daarvoor beheer uitgeoefen nie. Sodra daar nie 'n psigiese element van beheeruitoefening is nie, is dit nie besit nie. Daarom gaan daar probleme wees met die toepassing, want dit gebeur baie dat jy goed *download*, jy kry dalk *spam* e-pos, jy weet nie wat daarin is nie. Die oomblik wanneer jy dit oopmaak en sien dit is gemors en dit is kinderpornografie en jy stoor dit, dan sal ek sê dit is besit, maar as jy sê dit is vieslik en jy *delete* dit, kan dit sekerlik nie as besit gesien word nie. So ons het nie nodig om besit *per se* te definieer nie, want die begrip is bekend binne die algemene beginsels van die Strafbereg. As dit nie moontlik is om jou skuldig te kry aan besit nie, dan kan ons jou altyd skuldig bevind aan poging tot besit en jy kan presies dieselfde straf kry, of jy dit besit het of gepoog het om dit te besit. Poging is 'n onvoltooide misdaad. Veronderstel ek is 'n pedofiel en ek gaan op die Internet in byvoorbeeld en ek wil 'n site *download*, maar daar is een of ander tegniese probleem en ek kry dit nie *gedownload* nie, kan ek nog steeds skuldig wees. Jy kan dus skuldig wees aan poging tot besit van kinderpornografie. Met ander woorde ek sê nog steeds dat die bestaande regulerende raamwerk wat besit betref, is voldoende. Ons het moeilikheid met sekere misdaad soos kinderpornografie op die Internet en ons Gemeenregtelike misdade pas soms nie daarby aan nie. Jy kan nie huisbraak pleeg of inbreek op 'n rekenaar nie. Dit is dan ook iets wat soos enigiets anders ontwikkel.

Ek dink die meganismes is in plek, met *trail* en *error* sal ons by 'n punt kom en onthou ons Grondwet maak nou ook daarvoor voorsiening en dis baie sterk dat wanneer ons 'n probleem het, soos byvoorbeeld met kinderpornografie, dan kan ons na 'n ander regstelsel in die wêreld gaan kyk om tot 'n gevolgtrekking te kom. Ons moet na internasionale reg kyk, maar ons mag ook na ander internasionale jurisdiksies kyk. So as hulle 'n goeie oplossing het in Amerika, dan kan ons dit gebruik in ons reg, dit is baie sterk. Ons Grondwet gee dit vir ons in Artikel 39. So ek is nie daarvoor bekommerd nie. Toe hul aanvanklik die definisie van kinderpornografie in die wetgewing ingebring het, was dit onvoldoende en moes hul dit binne die Internettaal *mould* om al die beginsels in te sluit.

Dis maar hoe ons dit doen. Dit gaan vir my oor die vernuftigheid van hierdie mense. Ek dink ook daar is baie groot samewerking internasionaal, want dit is internasionaal 'n probleem, dit is nie net 'n nasionale probleem nie. 'n Mens sien dit dikwels in praktiese voorbeelde van mense wat gearresteer word, soos hierdie ou wat hier kinders gemolesteer het en in Australië. Hy is uitgelewer aan Suid-Afrika en hy gaan vervolgt word. Dit is prosedurele kwessies wat relatief maklik opgelos kan word, maar dit bring ons nie verder as hoekom is dit so, hoekom het jy dit gedoen nie?"

- **Dan natuurlik argumenteer regsgeleerdes oor of kinderpornografie 'n publikasie is of 'n film. As dit 'n film is moet dit voorgelê word vir klassifikasie, maar by publikasies word jy net vervolgt as dit gerapporteer word. Skep dit 'n probleem?**

"Dit kan problematies wees, maar dis weer hierdie fyn lyn tussen wat toelaatbaar is en wat nie. Jy weet of jy soos in die ou dae met die Publikasie Appèlraad, 'n totale verbod op alles gehad het, die uitgangspunt was, alles is verbode. Jy mag niks sien nie, jy mag niks lees nie, jy mag niks kyk nie, alles is verbode. Dit is van die een uiterste na die ander uiterste. Die Grondwet is reg vir ons, maar ons is nie reg vir die Grondwet nie. Dit is die probleem. Baie keer en dit het De Reuck ook gedoen - onder die Grondwet het hy die kwessies aangevat. Hy is deur drie howe. Die begrensing van die goed moet ook nog behoorlik bepaal word".

- **Voorkomingsmaatreëls, ons het nou al bietjie gepraat oor die sosiale bestel, dink u dat daar voorkomingsmaatreëls in plek is om kinderpornografie en Internet pedofilie te beperk?**

"Ek dink definitief nie dat dit voldoende is nie. Dit is nie asof mense hulself identifiseer as pedofiele nie. Dit is nogals 'n probleem, hul is gewoonlik in ontkenning daarvoor. Daar is nie behoorlike beskerming vir kinders nie. Die stigmatisering daarvan, die wetstoepassings en die tipe van goed is nie optimaal nie. Daar is mense, soos ek sê en ek wil nie mense te nakom nie, wat goeie werk doen binne die konteks van die Kinderreg en ek dink 'n

mens moet dit sê. Die polisie is in sekere opsigte baie knap en puik, maar dan is daar ook gevalle waar daar 'n gebrek is aan wetstoepassing, 'n gebrek aan rapportering, gebrek aan ondersteuningsdienste, stigmatisering, dit gebeur soms, maar mense wil nie daaroor praat nie. Dit is weer alles, julle *domain*".

- **Dink u daar is enigiets wat ek in die vraelys uitgelaat het en wat nog aandag moet geniet?**

"Nee, ek dink jy het 'n breë oorsig van die goed waarna ek verwys het".

APPENDIX F

RESEARCH PARTICIPANT D

Research participant D is a senior member of the Family Violence, Child Protection and Sexual Offences unit (FCS) which resorts under the South African Police Service (SAPS).

- **Is u bekend met die konsep Internet pedofilie? Wat beteken die term vir u?**

“Wat sien jy as ‘n pedofiel?”

‘n **Volwasse persoon wat seksueel aangetrokke is tot ‘n kind jonger as 13, as die kind ouer is as 13 word die persoon as ‘n hebefiel beskou. Betreffende Internet pedofilie beskou ek nie die Internet pedofiel as ‘n nuwe kategorie pedofiel nie, ek beskou dit as ‘n nuwe weg wat deur pedofiele gebruik word om toegang te verkry tot kinders, met ander woorde ek sê dat geregreseerde pedofiele, gefikseerde pedofiele, al die verskillende kategorieë van pedofiele kan die Internet gebruik.**

“Okay, klink vir my ons is op die regte punt. Ons internasionale definisie vir pedofilie is seksuele voorkeur vir seuns en dogters of seuns of dogters wat nog nie puberteit bereik het nie en internasionaal beskou hul dit dan as onder die ouderdom van 12. Dit is ons Interpol definisie”.

- **Is u bekend met nuwe middelle soos byvoorbeeld die Internet wat deur pedofiele gebruik word om toegang te verkry tot kinders?**

“Ja, selfone, sms’e, mms’e”.

- **Wat behels mms’e?**

“Dis prentjies, *multimedia messages*”.

- **Het u al hier in SA te doen gehad met gevalle waar 'n individu wel die Internet gebruik het om toegang te verkry tot kinders?**

“Ons moet daar kyk na toegang, soos om kontak te maak met die kind en toegang om na kinderpornografie te kyk”.

Ek verwys na beide in my studie.

“Kontak maak deur die Internet is nie 'n misdaad nie en die SAPD volgens die Grondwet, kan net betrokke raak as daar 'n misdaad gepleeg word. As 'n persoon net skakel met 'n kind, met ander woorde hy of sy maak net kontak en *chat* net met hulle, is daar geen misdaad gepleeg nie, maar sodra hulle 'n voorstel gaan maak, gaan dit onder die Wet op Seksuele Misdrywe wees en dan moet iemand dit aan ons rapporteer. Ek is nie bewus van enige misdaad wat al op so 'n wyse gepleeg is nie en by ons aangemeld is in Suid-Afrika nie”.

- **Het ons in SA mense wat sit en monitor wat op die Internet aangaan? Ek weet in Engeland het hul lede van die polisie wat hulself voordoen as kinders ten einde pedofiele in *chat rooms* te teiken. Daar was 'n program op *Oprah* waar hul vertel het van die polisielede se werksaamhede.**

“Daar is 'n paar lande, 'n handvol wat 24 uur op die Internet is en die tipe goed doen. Byvoorbeeld as hul 'n ou raakloop met kinderpornografie, meeste van die tyd het dit te doen met kinderpornografie, dan neem hul die persoon se identiteit oor en dan gaan hul voort met daardie tipe ondersoeke. Ook in SA is daar, ons het mense, maar weens die sensitiwiteit van die ondersoeke kan ek nie in *detail* sê nie, ons het persone wat op die Internet wel sekere ondersoeke doen”.

- **Het u baie te doen met mense wat kinderpornografie gebruik?**

“Ja, kinderpornografie, dit is baie, baie volop”.

- **Dink u dat Suid-Afrikaanse wetgewing die probleem behoorlik aanspreek met spesifieke verwysing na kinderpornografie?**

“Die Wet op Films en Publikasies is die beste in die wêreld. Wat daar gebeur het, is daar is ‘n Interpol spesialiste groep oor die misdade teen kinders en in een van die sub-groepe het ons gaan kyk na wetgewing. Hierdie land het byvoorbeeld gesê dat hul ‘n gaping het in hul Wet en so het hul sekere gebreke geïdentifiseer. Ek het met al daardie inligting teruggekom. As gevolg van daardie goed wat ek ingebring het met al die gapings rondom byvoorbeeld die geskrewe woord. Ander lande, party sê dat as jy nie die kind het nie, maar jy het die kinderpornografie, kan jy nie aankla nie, want daar is nie ‘n slagoffer nie. By ons is alles ingesluit, sketse, fotostate, geskrewe woord – al die goed waarmee die ander lande probleme gehad het, het ons ingebring. Dieselfde geld vir die verpligting om dit by die SAPD aan te meld – Artikel 27. Daar is omtrent net vyf lande wat so ‘n verpligting het. Oorgrense, *extra-territorial legislation* - Artikel 30(A) – hul praat daarvan dat as ‘n ou ‘n misdaad pleeg in ‘n ander land en hy hardloop terug na SA, kan ons hom in SA aankla. Ons is ook ‘n handvol in die wêreld wat dit het”.

- **Is u dus van mening dat jurisdiksie nie problematies is nie?**

“Nee. As die persoon byvoorbeeld Lesotho of Engeland of waarheen ookal gaan en hy gebruik die kinders daar, ons kry die inligting via Interpol of op ander maniere wat dit dan onder ons aandag kom, dan kan ons hom aankla vir die vervaardiging van kinderpornografie in daardie land en hy kan verhoor word in Suid-Afrika”.

- **As ons kyk na wetgewing met betrekking tot seksuele aktiwiteite met adolessente via die Internet, dink u daardie wetgewing is voldoende?**

“Dit is die Wet op Seksuele Misdrywe en op hierdie stadium is die *Sexual Offences Bill*, die Konsepwet op Seksuele Misdrywe nog nie deur nie, ons sukkel nog. Ek dink hul het in 1996, 1997 begin skryf daaraan.

- **Sal die wet al die probleme aanspreek?**

“Ja, dit en die Konsep Kinderwet, *Children’s Bill*”.

- **Is u bewus van bestaande voorkomingsmaatreëls wat die gebruik van die Internet vir die uitlokking van adolessente beperk?**

“Goed, nou moet ons gaan kyk na die Internet het geen grense nie, daar is nie internasionale wette daaroor nie. So om aksies in plek te sit – daar is derduisende, miljoene punte in SA met toegang tot die Internet, so daar is nie ‘n manier waarop jy dit regtig kan beperk nie. Al manier is die aanbieding van lesings en praatjies. Op die SAPS se *webpage* is daar wenke en ouers se verantwoordelikhede rondom toegang tot die Internet – die toesig en beheer daaroor”.

- **Dink u daar is iets spesifiek wat ek uitgelaat het in die vraelys en wat u voel ons moet byvoeg?**

“Die feit dat die Internet geen grense het nie. Die geval dat hy kan *bounce* – ‘n ou kan in SA sit en *bounce* hom van ‘n satelliet af terug en dit lyk asof hy via ‘n ander land kom. As jy gaan kyk na *WAP [Wireless Application Protocol]* – hierdie *wireless*. Die ou gaan sit by enige plek met sy of haar rekenaar, sit daarso en gaan op die stelsel in en jy het geen idee van waar af dit kom nie, daar is nie ‘n *paper trail* nie”.

- **So jy kan nie ‘n IP adres *trace* as ‘n persoon *WAP* gebruik nie?**

“Nee, kyk ‘n IP adres ook, die ou moet elke keer van dieselfde plek af bel en met gewone *dial-ups*, elke keer as jy ingaan kry jy ‘n ander IP adres, basies. So as jy gaan sit by ‘n *WAP* – en jy het hierdie *G3* wat hul van praat. As ek reg is en jy gaan op hom en jy sit by ‘n kafee – jy gaan nie weet waarheen of hoe, van waar af kom die ding nie. Byvoorbeeld op die lughawe, jy kan hom daar terug punt na ‘n *hotspot* toe, maar jy gaan nie weet wie van die klomp mense wat op daardie *hotspot* gesit het is dit nie. Dan moet jy ook onthou, die pedofiel, hoe weet jy regtigwaar dat die ou wat aan die ander kant is, is ‘n kind. Hy kan voorgee hy is ‘n kind en hy kan al hierdie seksuele praatjies hê en jy gaan nooit weet dat dit eintlik ‘n

volwassene is nie. Dit kan wees ‘n kind wat voorgee om ‘n volwassene te wees. Dis gesigloos, ‘n mens weet nie wie sit aan die ander kant van die rekenaar nie”.

- **Is daar gevalle in SA waar ‘n pedofiel met ‘n kind probeer kontak maak het en probeer uitlok het tot ‘n ontmoeting?**

Nee, daar is nog nie sulke gevalle aangemeld en gerapporteer nie. Nou moet jy ook gaan kyk na daardie pedofilie rondom ek dink dit was in die buiteland gewees, waar die ou kontak gemaak het, die kinders ontvoer het en hul is nog nooit weer opgespoor nie. Nog ‘n ding is dat ouers hul kinders se toegang tot die Internet moet monitor. Dis nou moeilik, jy het *Nanny* en allerhande sulke goed op jou rekenaar by die huis waar jou kinders toegang verkry tussen ses en sewe as jy by die huis is, maar vier uur as hul by die huis kom is hul gou by die bure langsaan en hul het in elke geval toegang daar. Nog ‘n probleem is kinders word op die plein afgelaai na skool, dan vir ‘n halfuur of so sit hul hier rond. Hier is ‘n klomp Internetkafee’s, gaan gou-gou daarop in, betaal ‘n paar rand, gaan op die Internet en gaan weer huis toe. Vandag met al die dwelms en goed en hul entrepreneurskap kry kinders ook geld, bo en behalwe die geld wat hul by hul ouers kry”.

- **Dink u as ons bewusmakingsveldtogte gaan loods met kinders dat ons hul net meer nuuskierig gaan maak?**

“Dis moeilik om te sê. Dit is net soos wat hulle gesê het, baie mense wil skielik gaan kyk na kinderpornografie en jy weet self in Kriminologie, hy sê vir jou, dat as daar nie predisponerende en presipiterende faktore is nie, gaan jy nie nou op ‘n kind spring en die kind verkrag nie”.

- **Dink u daar is ‘n verband tussen kinderpornografie en geweld? Dink u dat ‘n persoon wat kinderpornografie kyk noodwendig ‘n kind sal molesteer?**

“Nee, daar is wel mense wat na kinderpornografie kyk en nooit naby ‘n kind sal kom nie en daar is baie mense wat kinders onsedelik aanrand en

verkrag maar nooit werklik 'n pedofiel is nie en wat nooit naby kinderpornografie uitgekom het nie”.

- **Verwys u dan na gevalle soos bloedskunde – waar die persoon die kind onsedelik aanrand of verkrag, maar nie noodwendig 'n pedofiel is nie?**

“Nee, hoekom verkrag mense driejarige kinders?”

- **Is daar waarheid in die siening dat dit moontlik plaasvind weens mense se idee dat hul genees kan word van vigs as hul met 'n maagd of 'n klein kind seks het?**

“Nee, dis 'n mite. Ek het al met mense gepraat en nie een van hulle kon vir my sê dat hierdie ou glo en het voor hom gesê dat dit is hoekom hy dit gedoen het nie. Ons kon nog nie die mite vasstel of weêrlê nie. Daar is miljoene redes hoekom mense kinders aanrand of verkrag, dit kan uit wraak wees, dit kan wees dat hy kwaad is vir die ma. Daar was 'n geval waar hy 'n kind verkrag het om die ma te wys. Daar is baie redes. Jy moet nie verkragting en pedofilie verwar nie. Om 'n kind onsedelik aan te rand en te verkrag is anders. Vir 'n pedofiel gaan dit oor 'n liefdesverhouding. By verkragting gaan dit oor woede, sadistiese gedrag, daardie tipe goed”.

- **In die literatuur word daar klem gelê daarop dat kinderpornografie, pedofiele se kosbaarste besitting is en dat hul uitgebreide versamelings besit.**

“Ja, jy moet onthou om geklassifiseer te word as 'n pedofiel moet jy deur 'n psigiater of sielkundige, byvoorbeeld by Weskoppies geklassifiseer word. Om 'n ou te klassifiseer nadat hy twee of drie oortredings met kinders begaan het, is gevaarlik. Dis gevaarlik om 'n ou as sulks te etiketteer. Die woord pedofilie is 'n mediese terminologie. Soos 'n skisofreen, soos 'n psigopaat, soos al hierdie ander goeters”.

- **Dit is natuurlik iets wat die media baie lief is om te doen, as dit ‘n kind is wat seksueel geteiken word beskou hul dit as pedofilie.**

“Ja en dit is nie so nie. Dieselfde met molestering. Daar is nie so iets soos molestering nie. Gaan kyk in die woordeboek wat is molestering. Jy gebruik nie die woord molestering binne ‘n radius van ‘n miljoen kilometers van my af nie, want dit gaan daarvoor dat as ek jou hare deurmekaar krap is dit molestering, as ek jou pen vashou en ek verhinder of pla jou, is dit molestering. Molestering, party sien dit as fisiese molestering, fisiese aanranding, ander sien verwaarlosing ook as molestering. As jy gaan kyk na die polisie se Website – www.saps.gov.za - gaan kyk ‘n bietjie by kinders en dan gaan hy vir jou ‘n *dropdown* gee wat FCS gee, ons eenheid se naam. Dan gaan hy vir jou ‘n klomp goed gee, wat dit is, die lys van misdade, dat daar nie so iets soos molestering is nie. Ons praat van verkragting, bloedskande, onsedelike aanranding – Wet op Seksuele misdrywe goed. Ons praat van spesifieke goed”.

- **As ons gaan kyk na statistiek, pedofilie is nie ‘n kategorie op sy eie nie. Val dit onder seksuele misdrywe?**

“Ja, dit hang af wat die misdaad is – verkragting, onsedelike aanranding”.

- **So daar is nie werklik ‘n manier waarop ons kan vasstel hoeveel pedofiele daar is nie?**

“Nee, die enigste manier waarop ons dit kan doen is as Weskoppies en al daardie inrigtings vir ons kan sê hoeveel mense hul geklassifiseer het, sal ons weet. Of ek ‘n seksuele misdaad begaan en of ‘n pedofiel ‘n seksuele misdaad begaan, dit is dieselfde ding. Dit gaan oor verkragting of onsedelike aanranding. Die feit dat hy ‘n pedofiel is, maak hom nie minder toerekeningsvatbaar nie. Ek is nou vir meer as 20 jaar in die polisie en ek het baie sake persoonlik ondersoek. Ek is nie bewus daarvan nie - daar kan wees – dat daar al ooit verwysings na ‘n plek soos Weskoppies of enige van die instansies was om geklassifiseer te word as ‘n pedofiel nie”.

- **Hoe voel u oor 'n moontlike *sex offender register*? Sal dit dan beteken dat elke persoon wat daarin opgeneem word eers as pedofiele geklassifiseer moet word?**

“Daar is twee kante. In die registers van die *Children’s Bill – people not suitable to work with children*. Die doel van daardie register is om kinders te beskerm. Die probleem wat ons het op hierdie stadium, sê nou byvoorbeeld die buurman parkeer elke dag op my gras. Dan bel ek sommer net in en sê dat die ou hier langsaan is 'n pedofiel, of ek sê Piet Pompies is 'n pedofiel. Hoeveel mense met die naam Piet Pompies is daar in SA? Nou kom 'n minister se seun en hy doen aansoek om by 'n kinderhuis te werk, dan staan daar Piet Pompies is *not suitable to work with children*. Nou wat nou? Ek kan nie sien dat daardie register enige iets kan doen nie. Ek sien nie die nut van die register nie. Ons het 'n Kriminele Rekord Sentrum, so as jy 'n misdadig begaan dan word jou vingerafdrukke geneem. So dit is onbetwisbare identiteit, so skole, of kinderhuise of enige instansie waar kinders by betrokke is kan aanvra dat die persoon 'n gedragstifikaat kry van die SAPD wat sal sê of die persoon vorige veroordelings het, of nie. Die aansoeker se vingerafdrukke word gevat en dit word vergelyk met alles, al die vingerafdrukke wat ons op rekord het. Wat vandag in die skole aangaan is dat die kinders besluit ons hou nie van hierdie ou nie, want hy is te streng. Hul bel in, hul gee vir ons sy inligting. Hul kan selfs sy identiteitsnommer in die hande kry en dan, wat dan? Dit is wat die promulgering van die Wet terughou, dit is daardie *detail*. Wie gaan dit hou? Op hierdie stadium, die *Children’s Bill* hardloop onder Maatskaplike Dienste, *Social Development*. Nou waar gaan daardie rekords of register gehou word? Op 'n stadium wou Justisie dit gehad het en Maatskaplik wil dit hê, maar hoe gaan hul dit implimenter? Dan moet hul vingerafdrukdeskundiges ook inkry. Artikel 37 van die Strafproseswet magtig my om iemand se vingerafdrukke te neem of bloed te laat trek om 'n misdadig te bewys. As die ou skuldig bevind word of dit word teruggetrek, is ons deur die Wet verplig om daardie vingerafdrukke en rekords te vernietig”.

APPENDIX G

RESEARCH PARTICIPANT E

Research participant E is a criminologist and her field of expertise includes extensive knowledge regarding child pornography. She conducts assessments of sexually abused children and acts as an expert witness in court.

- **Is u bekend met die konsep Internet pedofilie. Wat beteken die konsep vir u?**

“Die uitbeelding van kinders in verskillende seksuele aktiwiteite wat versprei word deur die Internet”.

- **Is u bekend met nuwe middelle soos byvoorbeeld die Internet wat deur pedofiele gebruik word ten einde kinders te nader vir seksuele doeleindes?**

“Ja, veral die *chat rooms* want die pedofiel kan homself voordoen as ‘n kind van dieselfde ouderdom, of ‘n adolessent van dieselfde ouderdom en daar is nie ‘n manier dat die kind van beter sal weet nie. Dit is dan ook hoe hul, hul slagoffers betrek, want hul stel in dieselfde goed belang as wat die kind in belangstel. Dit begin daar, dit is die *grooming* proses en dan gaan dit verder tot dit by seksuele aktiwiteite uitkom”.

- **Kry u met baie te doen met kinders wat deur sms’e geteiken word?**

“Verskriklik, ek dink meer as wat die publiek daar buite weet. Kinders kom hier by die sentrum, byvoorbeeld en kom wys vir ons sms’e wat hulle op hul fone kry. Hoekom sien jy sms’e as ‘n Internet medium?”

Ek sien dit as nog ‘n vorm van media, of tegnologie wat gebruik kan word om kinders te teiken. Natuurlik kan hul ook via die Internet sms’e en mms’e stuur.

“Jy sien wat nou gebeur is die pedofiel moes altyd op straathoeke staan of by kafees rondhang om hul slagoffertjies te kry, veral by die

speletjiesarkades wat jy kry. Vandag is dit nie meer nodig nie, want daar is amper nie meer 'n huis wat nie 'n rekenaar of Internet het nie. Hoe sê 'n seuntjie vir my: '24/7 tannie, ons het 24/7 toegang tot die Internet'. Met ander woorde 24 ure per dag, 7 dae 'n week – dis die kinders se taal 24/7. Dit het nou net vir pedofiele soveel makliker geword om by kinders uit te kom, want hul het 24/7 toegang tot die kind in sy huis. 'Ek is gerus, my kind is die hele dag op die Internet, dit hou hom darem van die straat af en uit die moeilikheid', maar dan weet die ouers nie na wat die kinders gaan kyk nie. Nog 'n ding wat my pla is die advertensies, veral in Die Son en baie ander media en in tydskrifte, byvoorbeeld die nommer wat jy kan skakel en dan word daar 'n sms gestuur van 'n vrou wat naak is. Dit word op sy selfoon deurgestuur. Dit is skrikwekkend.

Alhoewel ek dink dat die Wet op Kinderpornografie, of pornografie in die algemeen het soveel *loopholes* dat hy nie eers die naam Wet waardig is nie, is daar darem wetgewing, maar hierdie sms'e wat so geadverteer word sms hierdie nommer en dan stuur hul vir jou hierdie verskriklike pornografie – naakfoto's in allerhande posisies. Twee derdes van die werk wat ons hier doen is met kinders en die kinders vertel vir ons die goed. Dit is iets wat met rasse skrede besig is om toe te neem. Kinders is deesdae so *wise*, hul praat van *streetwise* en *drugwise*, maar jy moet nou maar begin om hul *pornwise* ook te noem. Hul is verskriklik ingelig oor hierdie goed”.

- **Het u al met 'n geval te doen gekry waar 'n individu die Internet gebruik het om toegang te verkry tot kinders vir seksuele doeleindes?**

“Veel, pornografie is rerig 'n bekommernis”.

- **Hierdie gevalle sluit dit dan nou net kinders in wat in aanraking gekom het met pornografie, of sluit dit ook gevalle in waar kinders deur pedofiele in chat rooms genader is?**

“Ja, spesifiek in ‘n chat room en waar daar toe met hierdie kind ‘n afspraak gemaak is om te ontmoet. Dit is maar een van die gevalle. ‘n Ander geval is van ‘n langafstand atleet. Die onderwyser het saam met hul gaan draf en dan hardloop hul buite die skoolgronde, want dit is hierdie veldwedlope en als, en dan hardloop hul by die onderwyser se woonstel verby. Hy nooi hul dan in om koeldrank te kom drink en dan sit hulle in die sitkamer terwyl hy die koeldrank gaan ingooi. Daar lê dan op die tafeltjie in die sitkamer pornografiese tydskrifte. Uit die aard van die saak is die seuns nuuskierig, want hul sien die buiteblad met die vrou met die wulpse lyf en natuurlik gaan hul daarin blaai. Dit was deel van die *grooming* proses. Hul het hierna gekyk en as die onderwyser inkom dan sit hul dit kamstig neer. Dit is hoe hy begin het. Toe het hy later gesê dis olraait, dis tussen ons manne. Later het hy begin om vir hul videos te wys, pornografiese videos. Toe het hulle begin kuier by sy woonstel, want hy is hierdie *great* onderwyser. Die volgende stap was dat hy gesê het hulle kan aan mekaar begin vat. Sien hoe gaan hierdie *grooming* proses aan. Hy het toe later al die goed wat hul met mekaar doen, die masturbering ensovoorts op video geneem met die kinders se gesigte en als. Toe een van die groot seuns weer op die Internet gaan, toe sien hy hulle groepie op die Internet, en toe pleeg die kind selfmoord, want sy pa was ‘n predikant. Hy het net gedink nou dat die goed op die Internet is kan die gemeentelede daarop afkom en sien dat die predikant se seun by die goed betrokke was.

Dit is hoekom ek sê, ons Wet het soveel *loopholes*, jy weet kinderpornografie is teen die Wet, maar mense kan as ‘n Webwerf hier toegemaak word kan hul dit net op ‘n ander plek byvoorbeeld Namibië gaan oopmaak. Hulle verkoop hierdie videos wat hulle maak aan ouens wat in Nederland is waar die groot Internet pornografie mense sit, veral kinderpornografie. Hul verkoop die videos aan daardie mense, en daardie mense sit dit op die Internet. Jy maak hier ‘n ding toe, of jy maak dit onwettig en in die volgende land is dit nie onwettig nie. As ek ‘n video hier

maak en ek het 'n kontak in Amsterdam, pornografie is nie daar onwettig nie”.

Kinderpornografie ook nie?

“Ek dink nie so nie, want hoe kom al hierdie kinderpornografie op die Internet? Ek weet die Skandinawiese lande, en in Amerika, ek weet Kanada het 'n ongelooflike streng beleid ten opsigte van pornografie, maar jy kan gerus gaan kyk na Skandinawiese lande, Denemarke en jy kan gerus gaan kyk by Amsterdam. Ek dink nie kinderpornografie is daar onwettig nie. Daar is te veel kinderpornografie op die Internet, waar kom dit dan alles vandaan?”

- **Hier kom ons nou by die vraag: Spreek bestaande SA wetgewing kinderpornografie op die Internet behoorlik aan. U het nou gesê nee. Dink u die wetgewing is voldoende om seksuele aktiwiteite met adolessente via die Internet aan te spreek?**

“Nee, want weet jy soveel van hierdie Webtuistes as jy daarop ingaan sê daar is 'n beperking van 18 jaar, maar hoe *check* hulle dit dat jy wat aan hierdie kant sit 18 jaar is. Ek weet daar is verskriklik baie en ek het dit nie *opgeswot* nie, maar ek weet uit ervaring dat daar baie maniere is wat jy *software* kan koop sodat jong kinders nie kan toegang kry tot pornografie nie, dit weet ek vir 'n feit. Jy weet as hier nou 'n adolessent is - ek het nou-nou gehoor jy verwys na 'n 13 jarige as 'n adolessent, ek dink dalk vroeë adolessensie, maar 'n 13 jarige sien ons nog as in hul pubertiteitsjare. So 14 en op is eintlik adolessente, maar as jy 13 jariges insit sal ek sê dit is vroeë adolessensie. As daardie kind op die Internet sit is hulle so *wise*, jy sal nie glo hoe *wise* is hul op die Internet nie, baie beter as ouers en jy weet hier kom hy by 'n Webtuiste uit wat sê hier is 'n 18 jaar beperking. Ek weet nie hoe *check* hul dit nie. Sê nou maar hy sit 'n vals ID in. Vandag se kinders het almal kredietkaarte. My mond het oopgehang, maar ouers maak vandag vir kinders kredietkaartfasiliteite oop. Met ander woorde as jy nou moet betaal vir hierdie Webwerf gebruik hul net hul kredietkaart. Ek is nie 'n boffin op al die goed nie, ek werk nie nou net meer met pornografie nie, daar is baie ander goed waarmee ek

werk. Ons kinders is net, hulle is *Internetwise*, pornografie *wise* en *sexwise* – hulle weet alles”.

- **Wat dink u kan gedoen word om die probleem aan te spreek?**

“Ek dink nie soseer die probleem lê in wetgewing nie. Ek dink dit lê by moraliteit en ek dink dit lê by ouers. Ek het nou net ‘n boek geskryf. Ek dink nie dit gaan soseer oor wetgewing nie, dit het uit die aard van die saak ook ‘n rol om te speel. Kinders weerspieël hul ouers se gedrag. Ouers moet ophou om te sê dat daardie ou moet sorg dat my kind nie by *drugs* betrokke raak nie, of wat ookal nie. Ek dink moraliteit – seuns is nuuskierig en gaan definitief kyk, maar as hy reg opgevoed is sal hy besef dit is nie vir my nie, want ek is geleer om ‘n ander persoon se liggaam of ‘n ander persoon te respekteer.

Ek sê altyd vir die ouers of kind, hoe sou jy gevoel het as dit jou sussie was wat so kaal hier in die boek was en by sulke aktiwiteite betrokke is, want dit is walglike goed wat in daardie boeke is. Dan sê ek altyd hoe sou julle gevoel het, julle jong seuns kyk en lag en giggel nou daaroor, maar hoe sou julle daaroor gevoel het as dit jul sussie was? Dan sê hul nee tannie, en daardie tipe van dinge. Ek voel as ouers hul kinders reg opvoed in terme van moraliteit sal ons minder verkragting hê, sal ons minder seksuele misdade hê en al daardie soort van ding. Wie se gedrag weerspieël jou kind, joune as ouer sin.

Ek het hierdie ouer wat gister hier by my kom sit en sy het haar 10 jarige dogtertjie gevang dat sy rook, en dis nou die sogenaamde verkeerde maatjies wat die kind gekry het om dit te doen. Toe sê ek vir haar of daar nou verkeerde maatjies is of nie, hierdie kind is gepredisponeer om te rook, want ma en pa rook. Jy kan nie vir jou kind sê jy moet *sexually responsible* wees, maar jy as ouer *live sexually promiscuous* nie. So as jy pornografie in jou huis toelaat of videos het kan jy nie vir jou kind sê moenie hierna kyk nie. Die goed begin in die ouerhuis. Om die vinger na die regering te wys en die vinger te wys na die wette in die land en te sê die wette is nie voldoende nie, daar is leemtes – dis maar een deel van die

verantwoordelikheid, die regering het 'n verantwoordelikheid, maar die grootste verantwoordelikheid lê by die ouers. Ouers is nie die beste voorbeeld wat kinders het nie, dit is die enigste voorbeeld, want kinders doen wat hulle ouers doen. Rook die ouers, rook die kind. Gebruik die ouers alkohol, gebruik die kind alkohol. Gebruik die ouers drugs, gebruik die kind drugs. Gister was daar weer 'n ouer by my toe sê sy dit is hierdie vriend wat die kind het. Toe sê ek, dit is nie die vriend nie, hy het 'n keuse gehad. Elke mens het 'n keuse. Hy kon gesê het nee dankie, maar is hy reg opgevoed om te weet *drugs* is verkeerd ek moet sê nee dankie? Hulle het altyd die storie van ek is 'n enkelouer, daardie hele maatskaplike storie. Toe sê ek, mevrou ek het begrip daarvoor maar daar is plekke waarheen jy kan gaan vir hulp, soos jy vandag na ons toe gekom het, maar jy moenie wag tot die *paw-paw* die *fan strike* nie. Hierdie kind is gevang met dwelms, hy het vermoedelik versprei, want hy het te veel by hom gehad vir persoonlike gebruik. Hy het nie gister begin hierdie dinge doen nie, u moes lankal al besef het hier is fout met die kind, sy gedrag het verander en al daardie tipe goed. Waar het hy geld gekry vir dwelms, hy werk nie. Toe sê die ma hy het goed verkoop in die huis. En toe, mevrou, toe jy sien die goed raak weg, wat het jy gedoen? Sy het vir hom gesê dat as dit weer gebeur is daar moeilikheid. Ouers volg absoluut die pad van die minste weerstand. As die *paw-paw* die *fan strike* dan hardloop hul na organisasies soos ons toe en dan wil hul nou hê dat ons die kalf uit die put uit moet trek, maar dis nie altyd moontlik nie. Die kind is al so ver hy kry hallusinasies en hy het diefstal gepleeg om dwelms te koop. Ek het nou met die staatsaanklaer gereël dat hulle hom stuur vir *rehab* Magaliesoord toe vir 14 weke vir *rehab* en *detox*. Hy sê hy gebruik nie dwelms nie, maar ons het hom laat toets en hy is op *drugs*. As hy daar bly en hy loop nie weg nie en hy kry die papier wat sê hy is nou totaal gerehabiliteer sal ons die diefstal klag terugtrek. As hy gevangenis toe gaan, hy kry nie daar *rehab* nie en moenie vir my sê daar is nie dwelms in die gevangenis nie. Sy probleem gaan nie aangespreek word nie. Sy probleem is nie die diefstal nie, sy probleem is dwelms. Dit is wat ons moet aanspreek, die diefstal is sekondêr. Hy het diefstal gepleeg om geld te kry vir dwelms. Ons gaan altyd terug na die primêre toe”.

- **Is u bewus van bestaande voorkomingsmaatreëls wat die gebruik van die Internet vir die uitlokking van adolessente vir seksuele doeleindes beperk?**

“Ek dink die bewusmaking van die publiek, byvoorbeeld is nie voldoende nie. Daar kan nie van ouers verwag word om verantwoordelikheid vir hul kinders se opvoeding te neem as hul nie ingelig is oor wat huidiglik daar buite tot kinders se beskikking is, die versoekings wat gestel kan word. Die adolessent is in daardie niemandswêreld van ek is nie meer ‘n kind nie, maar ek is ook nog nie ‘n volwassene nie, maar ek dink ek is ‘n volwassene. Ek dink ek kan my eie ingeligte besluite neem, maar hulle kan nie, want hulle dink nie aan die gevolge van as ek nou hier betrokke raak of as ek nou hierdie pad loop wat kan gebeur nie.

Daar is nie ‘n vak op skool nie en ek sê ons nuwe kurrikulum, en ouers is *up in arms* oor die uitgekomsgebaseerde onderwysstelsel, maar ek voel dit bied ‘n geleentheid om vakke in te bring, wat ons nie gehad het toe ons kinders was nie en wat ons nie voorberei het vir ouerskap nie. Ek dink dit is die moeilikste taak in die hele wêreld. As jy jou eie opvoeding gebruik as die voorbeeld waarop jy jou kinders gaan grootmaak en jou voorbeeld was nie goed nie, is dit hierdie *vicious circle*. Jy dra wat jy by jou ouers geleer het en wat nie goed was nie oor op jou kinders, en hulle dra dit weer oor. So hierdie uitkomsgebaseerde onderrig is vir my ‘n geleentheid om sulke goed in te bring, soos die impak wat die media kan hê met al sy fassette, nie net die Internet nie, maar daar is nou al hierdie sms’e wat so gestuur word – om kinders op te lei in wat gaan op die Internet aan en hoe maklik is dit vir ‘n pedofiel om met jou kontak daar te maak sonder dat jy eers weet. Om respek te hê vir ander se liggame, dan gaan ons nie al hierdie, *date rapes* ensovoorts hê nie, daar is ‘n ongelooflike toename van *date rape*.

Ons kry al hoe meer manlike verkragtings, ons het hierdie jaar al drie gehad, waar die mans by ons uitgekome het. Kinders leer nou hoe om hul eie finansies te doen – optel, aftrek en geldwaardes, ek kan nie sien hoekom kan hul nie ook iets leer van respek vir ander se liggame nie. Dit

hoef nie van 'n spesifieke godsdiens te wees nie. Ek dink die Hindu's, ek dink die Moslems het respek vir mekaar se liggame. Dit hoef nie uit 'n spesifieke godsdienstige perspektief te kom nie. As ons sê dat ouers verantwoordelikheid moet neem vir hul kinders se gedrag, dan moet ons vir hulle die *tools* gee. Ons moet hulle opvoed oor als wat daarbuite aangaan.

Toe ek 'n kind was, was daar nie iets soos 'n rekenaar of televisie nie. Daar was seer sekerlik pornografie, maar my ouers was te eng dat daar pornografie in ons huis sou wees. Daar was wel pornografie op die swart mark. Kyk na die goed wat op televisie is. Ek het gedog daar was 'n *watershed* tydperk van agt uur in die aand, vergeet dit, gaan kyk maar wat sien jy op DSTV se *Movie Magic II*, dit is ongelooflike pornografie en dit is voor agt uur in die aand. Daardie fliëks begin hier kwart oor sewe in die aand wanneer kinders nog wakker is, wanneer kinders nog nie in die bed is nie. So ja, ek dink dit is nou in ons land, noem dit persvryheid en so aan, so ek voel net daar het nou nog 'n groter onus op ouers gekom om hul kinders in te lig.

Ek het 'n gesin hier van Rayton, hulle lewe soos die Amish in Amerika. Hulle is hier op 'n plaas en hul het hul eie koeie wat melk gee en hul maak botter, die vrou maak al hul klere self, selfs *panties* en *bra's*, die pa en die seuns werk op die plaas, hul plant hul eie groente, hul koop niks in die winkels nie. Hul gebruik nog koerantpapier of papier wat hul opskeur in die toilet. Hulle koop nie toiletpapier en sulke goed nie, hul leef soos die Amish. Hul het nou wel gas en elektrisiteit en 'n kar, maar geen televisie, geen telefone, niks nie. Jy kan ook nie jou kinders weghou van als daarbuite nie, want hoe moet hulle dan leer wat reg en verkeerd is, en hoe moet hul dan foute maak. 'n Ouerhuis moet soos 'n universiteit wees, of soos 'n laboratorium wees, waar jy eksperimenteer en as jy foute maak is jou ouers jou vangnet. Hulle wys jou op jou foute en hulle straf jou dienooreenkomstig. Jy leer uit jou foute. Nou word hierdie kinders van alles weggehou en die meisie wat onder my aandag gekom het, het weggeloop van die huis af en toe het sy by alles wat boos is daarbuite,

betrokke geraak want dit was nou te lekker. Dwelms, prostitusie, *you name it*, want sy het nie van beter geweet nie. Die polisie het haar nou opgetel in 'n bordeel en dis hoe sy onder my aandag gekom het en so het ons toe uitgekom by die ouers van Rayton. So jy kan dit ook nie doen nie. Nou dink ouers as daar nie pornografie in my huis is nie sal my kinders nie daaraan blootgestel word nie en dit is nie waar nie, want daar kan 'n maatjie wees wat pornografie het. So dit is baie beter om jou kinders bewus te maak van hierdie goed en te wys wat is die impak daarvan op jou lewe en jou gedrag, en dan moet ons hul leer wat is reg en verkeerd en wat is die gevolge daarvan. Hoe gaan ouers hul kinders opvoed as die ouers nie weet nie?

Ek het lank terug, seker so jaar of twee terug het ek 'n lesing by een van die kerke in ons omgewing gegee oor pornografie en wat pornografie is en ek het die boeke daar gehad. Ek het voor die tyd gesê dit help nie ek sê vir julle om julle kinders te waarsku teen pornografie en ek wys nie vir julle wat pornografie is nie. So ek het die boeke daar gehad en twee derdes van die mense het uitgeloop. Dis nou soos 'n volstruis wat sy kop in die sand steek. Hoe waarsku jy iemand – dis so goed as om vir jou kind te sê moenie bo-op 'n muur klim nie, maar jy sê nie vir hom hoekom nie, as jy afval gaan jy jou nek breek of jou been breek. As jy bo-op die muur klim gaan ek jou straf, die kind gaan dit doen want hy weet nie hoekom mag hy dit nie doen nie, so hy gaan dit net doen omdat sy ma gesê het hy mag dit nie doen nie. Ons kry regtig sulke mense wat soos volstruise hul koppe in die sand druk. Hulle moet weet wat is die werklikheid daarbuite, maar as hul kinders daar betrokke raak...

Ek is op 'n Webtuiste ook waar hul my kan skakel as 'n kenner op die gebied van pornografie en ek kry ten minste 15 oproepe 'n week van jong mans wat sê help my, of hul vrouens wat bel en sê wat moet ek doen, my man is verslaaf aan pornografie. Dis 'n probleem sê ek vir jou. Jy weet om verslaaf te wees aan pornografie is soos om verslaaf te wees aan dwelms. Hulle begin almal by die tydskrifte, die kaal borste en hier en daar 'n penis en vagina, almal begin daar. Ek praat baie by swart skole en

ek gee opleiding, nou praat ek oor kindermolestering en ek vertel, ek het poppe, anatomies korrekte poppe met penisse en vaginas en alles. Ek druk my vinger in die vagina in sodat hul kan sien *fingering*, dis nou wat dit is.

Nou vra ek vir een van die swart dames, wat noem jou kind haar vagina? *Mabasa*, nou *mabasa* ek die hele dag in my opleiding. Ons het nie geheime plekkies tussen ons naeltjies en ons knieë nie. Ek sê nie 'n klein kindjie moet van 'n penis en 'n vagina praat nie, maar as dit sy *willy* is of haar *koekie* of *rosie*, baie van die kindertjies sê dis hul *snuifie*. Daar is 'n persepsie in die hof dat 'n klein kindjie moet weet van 'n penis of vagina en dis *nonsense*, dit is nie so nie. As ek 'n forensiese verslag opstel dan sê ek vir die staatsaanklaer hierdie kind noem haar vagina haar *rosie* of *snuifie*, of wat ookal. Sorg dat dit die woorde is wat jy in die hof gebruik. Anders is die terminologie in die hof vir die kind onverstaanbaar. So dis nou een manier waarop ons probeer om kinders in die hof te help.

As iemand aan pornografie verslaaf raak is dit soos om aan dwelms verslaaf te raak. Die kinders begin almal by dagga, die ouens begin almal met tydskrifte want dit is die maklikste bekombaar, al die *magazines* wat 'n mens kry. Dan later begin hul videos te koop - blou videos, ek weet nie of jy al ooit 'n pienk video gesien het nie? 'n Pienk video is waar twee mans wat nou gay is seks het. Ek sal vir jou sê hulle hyg en steun en kreun op daardie video. Ek het daardie goed gekyk, want ek het besluit dat as ek oor pornografie navorsing wil doen, dan wil ek alles weet. So nou is ons by videos en later is die videos ook nie meer vir hul stimulerend nie. So nou die volgende stap is gewoonlik *kinky* seks met die vrou. Weet jy hoeveel vrouens het ek al hier gehad wat sê dat hul mans verslaaf is aan pornografie en hul verwag van hulle om hierdie *kinky* seks te hê.

Ek het 'n vrou gehad, dan maak haar man haar poedelnakend aan die bed vas, hy boei haar, onder maak hy haar voete met toue vas. Sy het 'n dogtertjie wat daardie tyd ses was en sy het 'n babatjie wat gevoed moet word. Dan lê hy nou in die *cot* en slaap. Die man het pornografie gekyk

en hy is nou hoog *opgecharge*. Dan wil hy nou *kinky* seks hê. Hy trek haar dan uit en hy boei haar vas aan hierdie katel terwyl die babatjie lê en slaap en sussie televisie kyk. Dan het hy nou eers 'n dop nodig om *courage* op te bou. So hy gaan nou na 'n kroeg toe. Dan word babatjie wakker en hy huil, maar mamma kan nie by babatjie uitkom nie. Dan kom sussie wat ses jaar oud is van die televisie af en dan sien sy nou vir mamma hier poedelnakend, kaal, vasgeboei aan die bed. Weet jy wat se vernedering is dit vir die vrou? Weet jy wat se skok is dit vir daardie kind, psigologies? En dan sê mamma gaan haal nou boetie se bottel, en sy is net ses jaar oud. Sy moet dan op 'n stoel staan om by die ketel uit te kom. Die bottel moet nie te warm wees nie, so sy moet dit eers teen mamma se wang kom sit. Dan wil sommige mense sê dat pornografie 'n *victimless crime* is. Dis verseker nie.

Weet jy hoeveel prostitute het ons wat huidliglik in SA werk? 38 000. Weet jy wat is hul gemiddelde ouderdom? 14 jaar. 38 000 prostitute waarvan sommiges ook pornografie modelle is. Dis baie keer jou wegloopkind en hoe oorleef hul op straat? Op 'n stadium betrek sy *pimp* hom by pornografie. Prostitusie en pornografie loop dus hand aan hand”.

- **Is daar enigiets wat ek uitgelaat het in die vraelys en wat u voel verdere bespreking noodsaak?**

“Iewers in jou tesis moet jy skryf oor die persepsie dat dit 'n *victimless crime* is. Dit is nie. Dit spiraal so, dit raak nie net daardie ou wat daarna kyk nie. Pedofiele gebruik pornografie om vir kinders te sê daar is niks fout met seks tussen kinders en volwassenes nie. Kyk dit is dan op video, dit is dan op die Internet. As dit dan onwettig was, sou dit mos nie so beskikbaar gewees het nie. Dit is die mite, dit is die argument wat pedofiele gebruik om kinders te betrek. Kinderpornografie is 'n bewys van 'n kind wat gemolesteer is. So hoe kan dit *victimless crime* wees? Net om die goed te maak, is daar al klaar slagoffers.

Mans wat daarna kyk word daaraan verslaaf. Ek het opgehou, maar dan het hulle hierdie *kinky* seks met hul vrouens. Later is dit nie meer

bevredigend nie en dit is wanneer hul met kinders begin lol. Dan is kinders vir hulle die *ultimate*. Later is dit nie meer vir hul wonderlik nie. Wat is dan die volgende stap dan begin hul, hul slagoffers, hulle word soos 'n sadis, hulle maak hierdie kind eventueel dood. Dan is dit nou vir hul die *ultimate*. Later is dit nie meer genoeg nie, dan begin hul seks te hê met *corpses*. Waar het dit alles begin? By 'n verslawing aan pornografie.

Wanneer begin 'n ou na pornografie te kyk? As hy 15, 16 jaar oud is. Die ou mense het gesê hul het rooi hakskeentjies – dis die hormonale veranderinge wat daar kom en soos wat ek sê hormone het nie *briek* nie, dis soos voet in die hoek sit. Hulle raak bewus van o, hierdie meisie is mooi gebou en dis in hul koppe en als, dis waar dit begin. Ek sê ook altyd ek het nog nooit gehoor van 'n hormoon wat bekeer is nie. As die goed in ouens se koppe gebeur raak hul amper seksmal. 'n Jong seun van 15, 16 sal nie noodwendig op 'n meisie spring en haar verkrag nie of seks met haar hê nie. Wat is die beste alternatief, die boeke. Later net soos met dwelms gaan hul van dagga na mandrax, na dit, na dat totdat hul eventueel by heroïne is. Dieselfde gebeur met pornografie en dit begin in hul adolessente jare. 'n Man word nie 35 en dan begin hy na pornografie kyk nie. Hy begin hier by 15, 16 en dan is die boeke beskikbaar. So nou vra ek jou, wie kan 'n stelling uitdink soos pornografie is 'n *victimless crime*? Nou is die kinders wat die pornografie modelle is, of die vrouens wat die modelle is, is die slagoffers. Die ou wat daarna kyk en daaraan verslaaf raak is 'n slagoffer. Die ou wat so daaraan verslaaf raak dat hy nou, en dit het 'n *addictive* element, nou kry hy nie meer seksuele bevrediging deur net na dit te kyk nie en nou begin hy dit te doen. Nou raak sy vrou 'n slagoffer, nou maak hy sy vrou vas en gaan drink in die kroeg. Nou kom die kind op mamma af wat poedelnakend kaal aan die bed vas is. Natuurlik vra die kind, hoekom is mamma aan die bed vasgeboei?

Ek glo nie dat daar 'n man is wat hierdie goed in sy kop uitdink nie. Hy kry sy idees in videos en hierdie boeke en alles en dan sal hy miskien meer uitbrei op die tema. Ek weet nie of jy al pornografie gesien het nie, maar

hierdie kindertjies wat so met die groot mense seks het, is die mooiste kindertjies en die ou gesiggies straal en dit is wat so hartseer is. As 'n pedofiel dit nou vir 'n ander kind wys, kyk hoe gelukkig is hierdie dogtertjie, sy hou daarvan. Dink jy nie jy gaan ook hiervan hou nie? Kom ons probeer, jy kan vir my sê ek moet ophou as dit nie vir jou lekker is nie. Die pedofiele of kindermolesteerders gebruik pornografie om hul slagoffers te kondisioneer om seks met 'n groot mens te hê.

Ek het net gister gelees dat iewers in Kanada of Amerika het hul geskryf dat prostitusie so common is dat dit behoort gewettig te word, want dan kan ons die prostitute reguleer en sorg dat hul gereeld vir HIV toetse gaan en AIDS reguleer, hul het so vier of vyf punte. Dit is nou so lobby groep wat sê dat prostitusie gewettig moet word. Hul sê: You cannot, not legalise it, people want it, otherwise it wouldn't have been so common. So rasionaliseer hul dit. Dit is hoekom ek sê wette alleen en strawwe alleen sal nie hierdie probleme aanspreek nie. Ons sal in die ouerhuis, by die babatjies moet begin om moraliteit daar terug te bring, om seuntjies en dogtertjies te leer wat is reg en verkeerd.

Wat vir my so hartseer is, is dat mense nie die enormiteit van die probleem erken nie. Hulle dink hierdie misdaad is nie so erg nie, maar hulle moet net te doen kry met 30 van hierdie kindermolesterings en verkragtings van babatjies so klein as 18 maande in 'n maand en dan moet hul vir my sê dis nie 'n probleem nie. Die mense wat hierdie kinders *abuse* dink nie al hierdie *kinky* idees in hul koppe uit nie. Omdat mense nie 'n behoefte het aan hierdie goed nie, gaan kyk hul nie wat op die Internet beskikbaar is nie.

Ons sleutelkinders, ek weet nie of jy weet wat 'n sleutelkind is nie. 'n Sleutelkind is 'n kind wat se ma en pa werk en die sleutel word vir hom iewers weggesteek sodat hy kan ingaan in die middag. Daar is dus geen toesig nie en boetie en sussie is die heel middag alleen by die huis. Die kinders is nou in hul adolessente jare, so die hormone is very *rampant* en dis heerlik, hul het die 24/7 Internettoegang en hul sit en kyk na hierdie

goed. Die ouers neem nou weer die pad van minste weerstand, druk hul koppe in die grond soos 'n volstruis. Hulle wil eerder nie weet waarna hul kinders op die Internet kyk nie. Solank die kind *happy* is en hy kan homself besig hou en die ouers het mos nou darem seker gemaak dat sy kind nie in die middag in arkades rondhang waar pedofiele hom kan bykom nie, sy kind is baie veilig in sy eie ouerhuis. Ek skryf in hierdie nuwe boek van my oor die misdaad en al die goed wat daarbuite aangaan, en kinders wat gemolesteer word, en ouers dink dis daardie ou wat haar kind in die park voorkeer en verkrag en seksueel molesteer ensovoorts, en saans sluit ons, ons deure toe en ons dink ons is ontslae van die misdaad daarbuite, maar ons arme kinders word met die misdaad binne-in hul eie huis toegesluit. Dis daar waar pa sit en kyk na pornografie en dit is daar waar hy sy kind seksueel molesteer, binne-in die huis, agter die toe deure.

Nou die dag het ek geles oor *incest*, hoekom pa's en stiefpa's hul kinders molesteer en ek weet een van die groot redes is dat hul 'n minderwaardigheidskompleks het en as hul vrouens nie met hul wil seks hê nie. Hul voel verwerp en dan kondoneer hul, hul gedrag en sê ek gaan darem nie na 'n prostituut toe nie. Ek doen dit eerder met my *adolescent sexually maturing child*. Mans het nou so maklik toegang, selfs in hul eie huise toegang tot die Internet en pornografie op die Internet. Hulle voel nou al klaar verwerp deur hul vrouens en dan dink hulle, hul sal maar gaan kyk na seksvideos op die televisie of na iets op die Internet en dan word hul daardeur gestimuleer. Dan sal hul nou uiting gee aan hulle drang en dit is dan wanneer die *maturing* child 'n baie gerieflike *substitute* is.

Die tegnologie dra daartoe by dat dit net makliker is vir pedofiele om by kinders uit te kom en vir ouers om by kinders uit te kom. Die mense wat sê dis nie 'n probleem nie, stuur hulle almal na my toe, dis 'n *major* probleem. Ek doen ongeveer 1 000 assesserings per jaar van kinders wat seksueel gemolesteer is. As ek met die ouers 'n onderhoud voer, is my eerste vraag: Het die kind toegang tot pornografie? Is daar pornografie in die huis? Uit daardie 1 000 assesserings is dit aanduidend dat in 60% van die gevalle het pornografie 'n rol gespeel. In my eie praktyk is dit een van

my standaard vrae en die standaard antwoord is gewoonlik ja. Die vrou sal dan sê ons het nie boeke of videos in die huis nie, maar ek weet my man en kinders *surf* op die Internet. Dit is die standaard antwoord wat ek kry. Dit kom daarop neer dat die Internet een van die *tools* is wat gebruik word om seksuele misdade te pleeg. Pornografie op die Internet is rerig vir my een van die *tools* wat gebruik word om seksuele misdade te pleeg.

Die kinders is net uit die aard van die saak meer kwesbaar want hul het nou daardie dominansie, ek is die ouer persoon. Die kinders is van nature *pleasing*, veral die kinders wat verwaarloos is en 'n gebrek het aan liefde en aandag. Hulle wil graag *please*. Hul naïwiteit en *pleasing* geaardheid maak dat as jy hierdie seksdaad wil doen, dan doen hulle dit gewoonlik, want ten minste kry hul dan aandag en liefde by jou. Dit is deel van die *grooming* proses. Hul wys die kinders eers die pornografie. Ek noem dit nou al ligte pornografie en erge pornografie. Hulle begin by die Sondagskool pornografie. Jy kan egter nie gelukkig bly om hierdie stilstaande prentjie te sien nie. Kinders is so *vulnerable*, want hul praat nie maklik teë nie. Hul word gekondisioneer om te dink dat grootmense weet waarvan hul praat. Die kind is 'n seksuele wese van voor geboorte af. Daar word van 'n kind verwag om iemand anders se *sexual desires* te bevredig, maar hy is nog nie reg daarvoor nie, hy is nog nie op daardie ontwikkelingsvlak nie. Ek noem hulle somer weer my flenterkinders. Hulle sê 'tannie, my liggaam is gebruik, almal kan sien ek is gebruik'.

Die Internet het 'n groot verandering in ons lewens gebring. Dit is nie net sleg nie, daar is baie goeie goed ook op die Internet, dit kan families saambind as hulle byvoorbeeld hulle vakansie saam beplan op die Internet en die kind *surf*, want hy ken, hy wys al die vakansieoorde wat daar is en ma en pa sit en praat. Die Internet is nie net sleg nie, maar dat dit ook sy slegte komponent het, dit is so. Baie negatief vir jou adolessent, want hy dink hy is 'n volwassene, maar hy het nog nie die insig van 'n volwassene nie en daarom gaan hierdie goed wat aan hom gedoen word en waaraan hy blootgestel word 'n geweldige impak hê op sy latere jare.

Waar begin pedofilie, jou *fixated paedophile*? Dit begin hier op 15,16. Hy is nog baie jonk, baie onervare, baie naïef. Hy het miskien pornografie gesien en nou oefen hy dit met 'n meisie. Hy is nie suksesvol nie, nou maak sy 'n aanmerking, soos: 'Jy sal nooit 'n man wees met daardie klein *willy* van jou nie, met hom gaan jy nêrens kom nie'. Nou wend hy hom na kinders, want hy het seergekry in sy eie portuurgroep. Nou wend hy hom na 'n jong kind van 8, 9 jaar wat nie so krities is nie, wat hy makliker kan omkoop, wat hy makliker onder sy beheer kan kry en dan is dit waar hy gaan wegkruip en dan raak hy *fixated* op kinders. As hy op 16 tot 21 met kinders gelol het, is dit jou *fixated paedophile*. Dan kan ons hom nie rehabiliteer nie. Dis so belangrik om te weet, pedofilie is *not normal and it is incurable*. Jy kan net 'n pedofiel se gedrag bestuur. Jy kan hom nie rehabiliteer nie. Met ander woorde as jy weet hierdie ou is 'n pedofiel en hy het 'n voorkeur vir kinders, moet jy so 'n persoon weghou van kinders. So 'n persoon moet geregistreer word, dat as hy intrek by 'n plek, want hulle is hierdie sjarmante ouens wat goed met kinders oor die weg kom, want baie keer het hy vasgehak in sy kinderjare. Hy is in homself inderwaarheid 'n kind. Dit is hoekom hy so maklik met kinders oor die weg kom. So die enigste manier wat ons hom kan help is om hom te bestuur. Die register moet nie erens by die Departement van Gesondheid in 'n stowwerige laai lê waar niemand toegang het daartoe nie. As hier 'n *sexual predator*, soos ek hulle noem in ons woonbuurt intrek, dan moet al die kleuterskole en al die laerskole in die omgewing moet in kennis gestel word dat daar bly nou 'n *sexual predator* in die omgewing. So daar is baie goed wat ons kan doen.

Ek het nou toe ek in Amerika was, ek het navorsing daar gedoen – Amerika, Kanada ensovoorts, het hulle daar aversie terapie en ek het van daardie sessies bygewoon waar hul vir die pedofiel kinderpornografie wys en as hy daardie ereksie kry skok hulle sy penis. As hy dus na kinderpornografie kyk ervaar hy die pyn. So met ander woorde hy wou nie meer na kinderpornografie kyk nie, want die penis is mos baie sensitief. Jy weet as hul 'n ou skop tussen sy bene is dit verskriklik seer. Hul het daardie aversie terapie in Amerika gedoen, hul wys vir die ou

kinderpornografie, jy weet hy is nou gevang en *convicted* en nou word hy vir terapie gestuur, ek wil dit nou nie rehabilitasie noem nie. Hul wys vir hom kinderpornografie en as hy 'n ereksie kry of masturbeer of wat ookal dan voel hy die pyn en dit het gewerk. Dit is soos die inplanting wat hul doen onder die vel vir 'n alkoholis en dan as hy sy lippe aan drank sit gooi hy op en is hy ongelooflik naar, so later kan hy nie eers meer drank ruik nie so siek maak dit hom en so hou hy op om drank te gebruik. Die aversie terapie het gewerk, want die ou wou later nie meer kyk nie. Okay, dis nou in die laboratorium, onder gekontroleerde omstandighede. As hy nou sou uitgaan en weer tussen kinders is, weet ons nie of dit standhoudend sal wees nie, maar binne die gekontroleerde omstandighede het hy later geen behoefte gehad om meer na die goed te kyk nie. Dit was so in sy kop, in sy brein gebêre, die vreeslike pyn, want die skok het nie net geduur vir so lank hul hom geskok het nie, dit was agterna nog baie gevoelig en baie seer, maar soos ek sê dit was onder gekontroleerde omstandighede, maar dit het gewerk. Dit het ek met my eie oë gesien. As hy nou weer vrygelaat sal word en hy is buite by kinders, hoe lank daardie suggestie in die brein sal bly weet ons nie.

As hy uit die aard van die saak gekastreer is beteken dit hy het nie meer 'n penis nie. Ons het vandag ander vorme van seks. Party mense word seksueel gestimuleer deur te vinger, hulle speel met hul vinger daar, of met hul tonge, ander gebruik 'n draadhanger, of 'n Coke bottel, of 'n tuinslang. So ek dink, die mens is so aanpasbaar, dat hy op 'n ander manier seksueel sal verkeer. Die penis is weg, maar die penis is nie als nie. Of hy sal seksueel gestimuleer word deur twee kinders wat seks het.

Daar is hierdie persepsie dat dit net mans is wat pedofiele is en wat met kinders lol. Die gevalle wat by ons uitkom is min. Ons kry min gevalle wat aangemeld word, maar ek wil vir jou sê *mother sexual abuse* met seuntjies is baie hoër as wat ons dink. Hoekom sê ek so? Ek het bewyse hoekom ek so sê. *Mother* is die *primary caregiver*, met ander woorde sy *nurture* die kind. As die kind siek is, is sy die een wat die kind dokter toe vat. As sy haar vinger in die kindjie se anus gedruk het en dit is geswel of dis rooi,

sal sy eenvoudig net nie die kind op daardie stadium na 'n dokter toe vat nie. Seuntjies is ook nie so geneig tot ontsteking soos dogtertjies nie. As die ma die seuntjie se penis suig, of by haar indruk, sal 'n mens nie sommer tekens van seksuele misbruik waarneem nie. Hul kom makliker daarmee weg en sulke sake kom nie so gereeld voor nie. Daar is egter in die ses jaar wat ek werksaam is, sewe tot agt sulke gevalle aangemeld.

APPENDIX H

CASE STUDY

The case study was obtained from an e-mail that was forwarded to the researcher (Bezuidenhout, 2006/05/22).

Shannon could hear the footsteps behind her as she walked toward home. The thought of being followed made her heart beat faster. "You're being silly, she told herself, "no one is following you." To be safe, she began to walk faster, but the footsteps kept up with her pace. She was afraid to look back and she was glad she was almost home. Shannon said a quick prayer, "God please get me home safe." She saw the porch light burning and she leaned against the door for a moment, relieved to be in the safety of her home. She glanced out the window to see if anyone was there. The sidewalk was empty. After tossing her books on the sofa, she decided to grab a snack and get on-line.. She logged on under her screen name **ByAngel213**. She checked her Buddy List and saw **GoTo123** was on. She sent him an instant message and this conversation followed:

ByAngel213: Hi. I'm glad you are on!!! I thought someone was following me home today it was really weird!

GoTo123: LOL You watch too much TV. Why would someone be following you? Don't you live in a safe neighborhood?

ByAngel213: Of course I do. LOL I guess it was my imagination because I didn't see anybody when I looked out.

GoTo123: Unless you gave your name out on-line. You haven't done that have you?

ByAngel213: Of course not. I'm not stupid you know.

GoTo123: Did you have a softball game after school today?

ByAngel213: Yes and we won!

GoTo123: That's great! Who did you play?

ByAngel213: We played the Hornets. LOL. Their uniforms are so gross. They look like bees. LOL

GoTo123: What is your team called?

ByAngel213: We are the Canton Cats. We have tiger paws on our uniforms. They are really cool!

GoTo123: Did you pitch?

ByAngel213: No I play second base. I got to go. My homework has to be done before my parents get home. I don't want them mad at me. Bye!

GoTo123: Catch you later. Bye

Meanwhile....."**GoTo123**" went to the member menu and began to search for her profile. When it came up, he highlighted it and printed it out. He took out a pen and began to write down what he knew about Angel so far.

Her name: Shannon

Birthday: Jan. 3, 1985

Age: 13

State where she lived: North Carolina

Hobbies: softball, chorus, skating and going to the mall.

Besides this information, he knew she lived in Canton because she had just told him. He knew she stayed by herself until 6:30 p.m. every afternoon until her parents came home from work. He knew she played softball on Thursday afternoons on the school team, and the team was named the Canton Cats. Her favorite number, 7 was printed on her jersey. He knew she was in the eighth grade at the Canton Junior High School. She had told him all this in the conversations they had on-line. He had enough information to find her now. Shannon didn't tell her parents about the incident on the way home from the ball park that day. She didn't want them to make a scene and stop her from walking home from the softball games. Parents were always overreacting and hers were the worst. It made her wish she was not an only child. Maybe if she had brothers and sisters, her parents wouldn't be so overprotective.

By Thursday, Shannon had forgotten about the footsteps following her. Her game was in full swing when suddenly she felt someone staring at her. It was then that the memory came back. She glanced up from her second base position to see a man watching her closely. He was leaning against the fence behind first base and he smiled when she looked at him. He didn't look scary and she quickly dismissed the fear she had felt.

After the game, he sat on a bleacher while she talked to the coach. She noticed his smile once again as she walked past him. He nodded and she smiled back. He noticed her name on the back of her shirt. He knew he had found her. Quietly, he walked a safe distance behind her. It was only a few blocks to Shannon's home, and once he saw where she lived he quickly returned to the park to get his car. Now he had to wait. He decided to get a bite to eat until the time came to go to Shannon's house. He drove to a fast food restaurant and sat there until time to make his move.

Shannon was in her room later that evening when she heard voices in the living room. "Shannon, come here," her father called. He sounded upset and she couldn't imagine why. She went into the room to see the man from the ballpark sitting on the sofa.

"Sit down," her father began, "this man has just told us a most interesting story about you." Shannon sat back. How could he tell her parents anything? She had never seen him before today! "Do you know who I am, Shannon?" the man asked. "No," Shannon answered. "I am a police officer and your online friend, **GoTo123**." Shannon was stunned. "That's impossible! GoTo is a kid my age! He's 14 and he lives in Michigan!" The man smiled. "I know I told you all that, but it wasn't true. You see, Shannon, there are people on-line who pretend to be kids; I was one of them. But while others do it to find kids and hurt them, I belong to a group of parents who do it to protect kids from predators. I came here to find you to teach you how dangerous it is to talk to people on-line. You told me enough about yourself to make it easy for me to find you. Your name, the school you went to, the name of your ball team, and the position you played. The number and name on your jersey just made

finding you a breeze." Shannon was stunned. "You mean you don't live in Michigan?" He laughed. "No, I live in Raleigh. It made you feel safe to think I was so far away, didn't it?" She nodded. "I had a friend whose daughter was like you. Only she wasn't as lucky. The guy found her and murdered her while she was home alone. Kids are taught not to tell anyone when they are alone, yet they do it all the time on-line. The wrong people trick you into giving out information a little here and there on-line. Before you know it, you have told them enough for them to find you without even realizing you have done it. I hope you've learned a lesson from this and won't do it again. Tell others about this so they will be safe too?" "It's a promise!"