

**Submission
No 53**

**INQUIRY INTO IMPACTS OF HARMFUL PORNOGRAPHY
ON MENTAL, EMOTIONAL, AND PHYSICAL HEALTH**

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DR HELEN PRINGLE: SUBMISSION

**Standing Committee on Social Issues, 2025
Impacts of harmful pornography on mental, emotional, and physical health**

**Ms Sarah Kaine, MLC
Committee Secretary**

**Pornography and the autonomy of women and girls:
The harms of violence, coercion and discrimination**

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Overview

The main recommendation of this submission is that government measures in understanding and responding to pornography and its harms are best formulated as part of a broad-based approach with a primary focus on addressing violence against women and girls (VAWG). I acknowledge that pornography and associated practices also do harm to men and boys (as the mother of a son, I am acutely concerned with such risks and dangers), and I have no wish to neglect, or to counsel neglect of, the problem of violence to men and boys, whether it be perpetrated by boys or girls, men or women. However, the need for a comprehensive strategy in terms of VAWG arises because of the systematically gendered patterns of sexual abuse and violence in our society, and the role of pornography and the sex industry more broadly in constructing and reflecting those systemic patterns of violence.

This submission to the Inquiry takes a human rights approach in focusing on pornography's impact on our autonomy, equality and dignity (and on the impact of other parts of the sex industry like the prostitution system with which pornography is intertwined). Individual and collective respect for dignity and autonomy is an essential aspect of the equal standing of all citizens, and acts as reassurance of the seriousness with which we take equality and disdain discrimination. Equal standing is however not always reckoned to the account of 'health' or of 'public health'.

I understand and respect the framework of 'public health and morality' in which the concerns of this inquiry are often placed. There are many indications of the emergence of a framework of 'public health crisis' for understanding the impact of pornography, on children and young people in particular. In 2014, for example, a governing councillor of the American Public Health Association, Pamela Luna, warned the UK Faculty of Public Health's annual conference of the urgent necessity of action on pornography and sexualization by public health doctors: 'I feel we have left our kids vulnerable; as adults we've missed something, which is what is happening in the media'.¹ The head of the Australian Childhood Foundation, Dr Joe Tucci, told a symposium on 'Pornography and Harm to Children and Young People', held in Sydney, Australia on 9 February 2016, that there was a 'public health crisis in the making' on the scale of smoking, alcohol use, and other such issues.² Since that time, a considerable global literature has grown up around the question of pornography as a 'public health' issue, with contributions from both sides of the scholarly 'aisle'. In terms of understanding pornography as a threat to public health, some American states have adopted resolutions recognizing 'that pornography is a public health hazard leading to a broad spectrum of individual and public health impacts and societal harms'.³

A 'public health' framework offers a largely gender-neutral approach to pornography, which may yield short-term advantages in terms of political and popular persuasion. My response to concerns about the impacts of pornography is however more oriented to the ways in which the sex industry reflects, constructs, normalises and even valorizes sexual violence and systemic inequality on the basis of sex and/or gender. The impact of systemic inequality on girls as they grow to autonomy and womanhood is profound. In accordance with this perspective, I understand harms of *violence* in line with the broad gender-based terms of the *Declaration on the Elimination of Violence against Women* viz. 'For the purposes of this Declaration, the term "violence against women" means any act of gender-based violence that

¹ Matthew Limb, 'Internet Pornography is an Urgent Public Health Issue, Conference Hears' *BMJ* 349:g4475 (2014).

² Danuta Kozaki, 'Internet Pornography Causing Long-term Public Health Crisis amongst Australian Children, Seminar Hears' *ABC News* 9 February 2016, <http://www.abc.net.au/news/2016-02-09/health-crisis-looming-over-accessibility-of-porn-for-children/7153016>.

³ See Emily F. Rothman, *Pornography and Public Health* (Oxford: Oxford University Press, 2021) chapter 1. A pro-pornography critique of the public health approach is set out in Kimberley McKay, Christopher Poulin and Miguel Muñoz-Laboy, 'Claiming Public Health Crisis to Regulate Sexual Outlets: A Critique of the State of Utah's Declaration on Pornography' *Archives of Sexual Behavior* 50 (2021) 401–405.

results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life.⁴

Throughout this submission I understand pornography not as a harmless ‘fantasy’ but in terms of practices of subordination of women and girls, practices that often lead to or are associated with other forms of ‘acting out’ violence and abuse against them. Pornographic ‘objects’ take different forms, and different people adopt different practices in their making, use and consumption, which do not affect everyone in exactly the same ways. But pornographic objects and practices all find a place within a regime of the subordination of women, which reproduces sex inequality. Rather than expressing choice, power and agency for girls and women, pornography forms part of systemic gendered inequalities of power. Just as the forms it takes are varied, so also its harms range across physical, sexual and psychological areas, and its effects are not constrained to ‘private life’. The *Declaration on the Elimination of Violence against Women* adds the crucial phrase, ‘whether occurring in public or in private life’.

The main trends in access to and consumption of pornography by children and young people, and its impact on their lives, are examined in this submission through a selection of case studies drawn from prosecutions of children on pornography-related charges. Analysis of these cases documents individual behaviour but also displays collective patterns of production, circulation, access and use of pornography. The cases also direct attention to gendered patterns of violence and cruelty against girls and women, the significance of which escapes a ‘public health’ framework in understanding pornography. Pornography begins its work early in the lives of modern children.⁵ It begins long before girls or boys develop autonomy or even have a capacity to do so. Pornographic patterns of violence and cruelty against women and girls constitute what Sandra Amankavičić has characterized as ‘coercive circumstances’,⁶ which are not conducive to the growth of autonomy in girls as they become women. The cases cited in this submission unfold and illustrate how the practice of pornography deeply affects the flourishing of women’s autonomy, and indeed their very survival.

Many defences of pornography rest on the idea that it *causes* nothing, and the industry should not be held responsible for harm, a defence founded on opinions and interviews with pornography users. This is not my approach, which is primarily based rather on detailed analysis of prosecutions for crimes in which pornography plays some part, whether in production or consumption. This approach provides an invaluable window on what pornography actually *does*, not only what opinions people hold about it.

What to do about pornography in a democracy is a serious matter involving reflection on the meaning and significance of harm, equality and freedom. However, as noted below, pornography is frequently seen as something to be laughed at and joked about, rather than as raising questions about individual and collective harms of violence, abuse and subordination. For example, young people who do not take pornography seriously, as evidenced by their laughing at it or having jocular conversations about it, are often praised as ‘media savvy’, as able to ‘see through’ pornography, as being something that is ‘not real’. However, I would argue that those children (and adults) who laugh at pornography are perhaps of *most* concern in thinking about access, consumption and use. My conclusion is that an important advantage of a comprehensive VAWG approach to pornography is in offering one way to change the public discussion of pornography through greater seriousness and receptiveness in listening to the voices and experience of girls and women, rather than upholding a porn aesthetic of violence and cruelty as ‘cool’ or as a suitable form of ‘sex education’.

⁴ UN General Assembly [UNGA], *Declaration on the Elimination of Violence against Women*, 20 December 1993, A/RES/48/104, Article 1, <https://digitallibrary.un.org/record/179739?ln=en>. See further explanation below.

⁵ To say this is now uncontested. See these important recent reports: [France] Haut conseil à l'égalité entre les femmes et les hommes, *Pornocriminalité: mettons fin à l'impunité de l'industrie pornographique!* Rapport no 2023-09-27 VIO 50, <https://www.haut-conseil-egalite.gouv.fr/violences-faites-aux-femmes/travaux-du-hce/article/rapport-pornocriminalite-mettons-fin-a-l-impunite-de-l-industrie-pornographique>; [UK] Children’s Commissioner, *‘A Lot of It is Actually Just Abuse’: Young People and Pornography* (London, 2023), <https://assets.childrenscommissioner.gov.uk/wpuploads/2023/02/cc-a-lot-of-it-is-actually-just-abuse-young-people-and-pornography-updated.pdf>; and [UK] Children’s Commissioner, *Evidence on Pornography’s Influence on Harmful Sexual Behaviour among Children* (London, 2023), <https://assets.childrenscommissioner.gov.uk/wpuploads/2023/05/Evidence-on-pornography-s-influence-on-harmful-sexual-behaviour-among-children.pdf>.

⁶ Sandra Amankavičić, unpublished work in progress at University of New South Wales, Sydney. Please do not cite without acknowledgement.

1. Trends in accessing and consuming pornography by young people

I begin without a set definition of pornography. In a legal sense, pornography can be usefully understood in terms of the MacKinnon/Dworkin approach as a civil rights violation,⁷ or as a form of sexual vilification, along similar lines to racial or homosexual vilification provisions set out in the New South Wales Anti-Discrimination Act 1977, in which vilification is a form of discrimination.⁸ In such a context of understanding, material would fit (or not) the category of ‘pornography’ not because of what it *is* but of what it *does*, or what people do with it. However, for the purposes of this submission, I use the term in a much broader way as, simply put, what we encounter on the internet when we use the search term ‘pornography’ or ‘porn’. Again, I am less concerned here with the identification and classification of pornographic *objects* than with patterns of access, use and consumption, that is, practices of pornography.

This section sketches the main patterns of young people’s contact with and access to pornography, most notoriously now via the internet. Older understandings of pornography as revolving around magazines furtively bought (or ‘found’) and used by an adolescent boy in secrecy at night as a masturbation aid continues to have some traction in our collective imagination, but certainly no longer corresponds to the main patterns of access and consumption by young people, or by adults for that matter. The internet is now the most inexpensive, convenient, accessible and anonymous way to access ready-made pornography for use, especially by children who can thereby easily circumvent adult surveillance. It would be a mistake, however, to consider questions of online usage without keeping in the picture, so to speak, the way in which ‘pornography is everywhere’, as noted in the title of the 2013 report for the UK Office of the Children’s Commissioner.⁹ That is, pornographic materials are not only available via dedicated websites as well as through online social media such as FaceBook, Instagram and Twitter (X), but are also still accessible as more traditional objects such as men’s and lads’ magazines and books, as well as public outdoor advertising,¹⁰ television, music videos and so on.¹¹ Acts and practices of sexual violence and of harassment in the street, and in workplace and recreational spaces like sporting and entertainment venues and clubs, also often take a pornographic form or use pornographic motifs.¹² Megan Tyler and Kaye Quek provide a useful summary of the bodies of research literature in these contexts around

⁷ Andrea Dworkin and Catharine A. MacKinnon, *Pornography & Civil Rights: A New Day for Women’s Equality* (Minneapolis MN: Organizing against Pornography, 1988); Catharine A. MacKinnon and Andrea Dworkin ed., *In Harm’s Way: The Pornography Civil Rights Hearings* (Cambridge MA: Harvard University Press, 1997).

⁸ Anti-Discrimination Act 1977 (New South Wales), sections 20B-C (race), 38R-S (transgender), 49ZD-ZE (religion), 49ZS-ZT (homosexuality), 49ZXA-ZXB (HIV/AIDS status), <https://legislation.nsw.gov.au/view/html/inforce/2024-07-01/act-1977-048>.

⁹ Miranda A.H. Horvath et al., for the Office of the Children’s Commissioner, *Basically... Porn is Everywhere’: A Rapid Evidence Assessment on the Effects that Access and Exposure to Pornography has on Children and Young People* (London, 2013), <https://www.childrenscommissioner.gov.uk/resource/basically-porn-is-everywhere/>.

¹⁰ Lauren Rosewarne, *Sex in Public: Women, Outdoor Advertising and Public Policy* (Newcastle: Cambridge Scholars Publishing, 2007); Helen Pringle, ‘What is the Billboard Doing? Reactions to Calvin Klein’ (2010) *On Line Opinion* 24 November, <http://www.onlineopinion.com.au/view.asp?article=11279>; Helen Pringle, ‘Wicked Slogans aren’t Just Harmless Fun’ *ABC The Drum* 16 July 2014, <http://www.abc.net.au/news/2014-07-16/pringle-wicked-slogans-arent-just-harmless-fun/5598858/>. Classic studies of sexualized advertising in Australia include Emma Rush and Andrea La Nauze, for the Australia Institute, *Corporate Paedophilia: Sexualisation of Children in the Media* (Canberra, 2006), <https://australiainstitute.org.au/report/corporate-paedophilia-sexualisation-of-children-in-australia/>; Emma Rush and Andrea La Nauze, for the Australia Institute, *Letting Children Be Children: Stopping the Sexualisation of Children in Australia* (Canberra, 2006), https://australiainstitute.org.au/wp-content/uploads/2020/12/DP93_8.pdf.

¹¹ For a succinct outline on this topic, see Maddy Coy, *Pornographic Performances: A Review of Research on Sexualisation and Racism in Music Videos*, Short Briefing Paper on Sexist-Racist Content in Music Videos, for EAW Coalition, imkaan & Object (2014), https://web.archive.org/web/20160325110322/https://www.endviolenceagainstwomen.org.uk/data/files/Pornographic_Performances_FINAL_Aug_2014.pdf. There is a significant body of work in this area which it is beyond the scope of this submission to address in depth here.

¹² Helen Pringle, ‘Pornography: Who’s Sleeping with Whom?’ *On Line Opinion* 8 September 2011, <http://www.onlineopinion.com.au/view.asp?article=12579>; Helen Pringle, ‘The Making of Women’s Un-freedom: Sexual Harassment as Harm’ in *Freedom Fallacy: The Failures of Liberal Feminism* ed. Miranda Kiraly and Megan Tyler (Melbourne: Connor Court Publishing, 2015); Helen Pringle, ‘The Pornification of Julia Gillard’ in *Bewitched and Bedevilled: Women Write the Gillard Years* ed. Samantha Trenoweth (Melbourne: Hardie Grant, 2013).

the concept of ‘pornographication’, while cautioning against conflating that term with ‘sexualization’.¹³

Moreover, a focus on consumption of pornography by children and young people should not lose sight of the way in which pornographic materials are for the most part manufactured, distributed, and traded for profit by adults. There is no evidence that pornography commonly accessed on the internet by children and young people is substantially different from that accessed by adults. In other words, ‘harm’ to children through or related to the consumption of pornography is not disconnected from that done to adults. Many writers have drawn attention to the growing market share of ‘amateur’ pornography,¹⁴ but the *controllers* of pornography markets are overwhelmingly adults (mostly adult men) with connections to other parts of the sex industry. For example, the business interests of the former owner and founder of a leading Australian adult products online retailer Adultshop, Malcolm Day, spanned websites such as [wickedteensluts](#) as well as adult sex shops. Day’s company Delecta also had unrealized plans to expand into the running of a mega-brothel in Sydney.¹⁵ So-called ‘amateur pornography’ or ‘indie porn’ is distributed and accessed through highly organized and profitable corporate ventures: Only Fans is a prime example of a façade of cottage-core amateurism operated by independent sole traders, behind which lie the usual suspects of corporate late capitalism.

In this context, discussions of ‘amateur pornography’ often present its home-made quality as evidence of a greater authenticity and realness, even as evidence of an unspoiled quality – with the main ‘spoilors’ identified as the state and law. A recent example is Zahra Stardust’s portrayal of the potential of ‘indie porn’ as including a revolutionary democratization of production and content and a global redistribution of wealth – the promise of which is claimed to be continually shut down by ‘regulatory fantasies’ of law and government or, more colourfully, as frustrated by ‘a backdrop of erotophobic regulatory paranoia’.¹⁶ Stardust’s argument situates pornography markets as pre-political, functioning in some sense as ‘prior’ to the intervention of government. On this view, government or the state is asserted as Enemy No 1 of sexual freedom through its holding and exercise of the powers and penalties of licensing and censorship – and somehow also, of the power of creating and assigning stigma. However, markets are the creatures of government and law, and do not and cannot subsist on any other basis. ‘The market’ more broadly functions because of laws specifying and protecting property rights, through provisions against trespass and theft for example, or through the principle of contract that agreements be kept. These underlying scaffoldings of markets are structural conditions, ensuring the very possibility of trading in pornographic materials and services as they do in other areas, and are not simply ‘regulatory fantasies’.¹⁷

The members of your committee are democratically elected representatives, and form part of government that enables those in society to do things together for the common good. One cannot say the same of private markets in commodities where the main interest is profit of individuals. It is simply ludicrous to claim, at this time, that government and law are the chief instruments of an egregious erotic regulation in countries like Australia.

Young people also do not always access pornography on their own or on their own initiative. Adults are often responsible for introducing children to pornography, whether through sharing their own use of pornographic objects and practices, or through encouraging their use by children, or simply through the casual exposure of children to pornography used by adults in the home or elsewhere. I do not refer to dysfunctional families or fathers here, but

¹³ Meagan Tyler and Kaye Quek, ‘Conceptualizing Pornographication: A Lack of Clarity and Problems for Feminist Analysis’ *Sexualization, Media, & Society* 2 (2016) 1–5.

¹⁴ For example, Susanna Paasonen, ‘Labors of Love: Netporn, Web 2.0 and the Meanings of Amateurism’ *New Media and Society* 12 (2010); Bonnie Ruberg, ‘Doing It for Free: Digital Labour and the Fantasy of Amateur Online Pornography’ *Porn Studies* 3 (2016); Feona Atwood, ‘The Politics of Amateurism in Online Pornography’ in *Photography Reframed: New Visions in Contemporary Photographic Culture* ed. Ben Burbridge and Anabella Pollen (London: Routledge, 2018); Zahra Stardust, *Indie Porn: Revolution, Regulation and Resistance* (Durham NC: Duke University Press, 2024).

¹⁵ N. Prior, ‘Day Crew Set Up Maddox Porn Play, Court Told’ *West Australian* 7 March 2014, <https://au.news.yahoo.com/thewest/wa/a/21862904/day-crew-set-up-maddox-porn-play/>; Jane Cadzow, ‘Sex Sells: The Business of Pleasure’ *The Age* 24 October 2011, <https://www.theage.com.au/business/small-business/sex-sells-the-business-of-pleasure-20111024-1mfhf.html>.

¹⁶ Zahra Stardust, *Indie Porn: Revolution, Regulation and Resistance* (Durham: Duke University Press, 2024) 10. [I too am not sure what this lego-language means.]

¹⁷ This line of analysis of markets as creations of government and law owes much to Cass Sunstein’s analysis of markets in speech and ideas, for example, see his ‘Free Speech Now’ *University of Chicago Law Review* 58 (1992).

rather to families in which ‘normal’ patterns of male entitlement and sex hierarchy are in place. The proceedings of the Australian Royal Commission into Institutional Responses to Child Sexual Abuse, and other similar inquiries in Australia, indicate that risks to children of exposure to pornography are moreover posed by religious figures, teachers and other adults with the responsibility of caring for children.¹⁸ It is not uncommon, that is, for children to access pornography through the internet or via other means through the mediation of adults in a coercive context, a context in which adults use pornography to give instruction to children on how to perform sexual acts, during what is often known as ‘grooming’ for purposes of sexual predation.¹⁹ It is more than perplexing, then, that many writers advocate using pornography as an appropriate form of sex education for school children (see below).

The widespread use, citation and apparent acceptability of pornography throughout our society can be seen in this context as a form of ‘social grooming’, where pornography consumption and use are treated and spoken of, with some limited exceptions, as ‘harmless’ – and as expected, cool and/or fun.²⁰ In contrast, a primary concern that guides my approach is the need to take the question of pornography seriously. That is, pornography is no ludic pastime, somewhere outside of social relations and not existing in the ‘real world’ (as its defenders often seem to imply, and as even its critics sometimes claim). It is, indeed, everywhere.

It can be difficult to accurately measure changing trends in online consumption of pornography because of different understandings and usages of the term not only by researchers but also over time. However, it is uncontested by defenders and critics of pornography alike that the pornography industry is expanding at an exponential rate, and that pornography markets are now most commonly accessed through the internet, as noted above. The traffic to the website Pornhub is illustrative of trends here. Pornhub grew to be the largest pornography site on the internet, as part of a network of video-sharing sites owned by MindGeek, which also included RedTube, Spankwire, YouPorn etc. These sites did not for the most part require payment by users for access, and for that very reason alone were popular with young people seeking to access pornography. It should be reiterated that sites like Pornhub make no distinction between pornography for adults and pornography for children or young people. Although such sites often make a ritual nod to community sensibilities by saying that they do not support the viewing of pornography by children, they make little or no attempt to screen children out from access to their websites or parts of them. To pinpoint more accurately the extent of traffic in pornography by children would presuppose forms of regulation that such sites fail or refuse to perform.

At the end of each year, Pornhub provides a comprehensive set of ‘insights’ into patterns of use, for example by geographical location, top searches, choice of favourite actors (including ‘most viewed amateur models’) etc.²¹ The themes in top searches show a striking emphasis in regard to the sexualisation of relations between family members (‘step mom’, ‘milf’, ‘mom’, ‘girl’, ‘step sister’), and an emphasis on sexualized intrusion in women’s spaces and privacy (‘step mom shower’, ‘step sister caught’). Other searches of particular concern include ‘babysitter’ and ‘teacher student’. The *searches* on Pornhub noted in its annual tables do not of course provide a full and accurate picture of the material on the site that is accessed through those terms. A wide variety of genres of pornography is available on the site. In 2011, Abigail Bray analysed one particular genre featured on Pornhub, entitled ‘Passed Out Pussy: extreme videos of

¹⁸ See Jeremy Prichard and Caroline Spiranovic, *Child Exploitation Material in the Context of Institutional Child Sexual Abuse*, Report for the Royal Commission into Institutional Responses to Child Sexual Abuse (2014), <https://www.childabuseroyalcommission.gov.au/sites/default/files/file-list/Research%20Report%20-%20Child%20Exploitation%20Material%20in%20the%20Context%20of%20Institutional%20Child%20Sexual%20Abuse%20-%20Causes.pdf>.

¹⁹ Caroline Norma, ‘Teaching Tools and Recipe Books: Pornography and the Sexual Assault of Children’ in *Big Porn, Inc: Exposing the Harms of the Global Pornography Industry* ed. Melinda Tankard Reist and Abigail Bray (North Melbourne: Spinifex Press, 2011).

²⁰ See Helen Pringle, ‘The Porn Report: A Studied Indifference to Harm’ in *Big Porn, Inc: Exposing the Harms of the Global Pornography Industry*, eds. Melinda Tankard Reist and Abigail Bray (North Melbourne: Spinifex Press, 2011).

²¹ As an example, for the 2023 Year in Review of Pornhub, see <https://archive.md/KU6oJ>.

drunk young girls fucked to pieces and ruined for life!!²² This popular category and its variants featured sexual humiliation videos of intoxicated or unconscious young girls.

There is some debate about whether children are now accessing more ‘hardcore’ material than previously, but the evidence from corporate producers of pornography themselves suggests a trend in mainstream pornography’s becoming more ‘hardcore’. Even in the stage of pornography access via DVDs, Meagan Tyler’s 2010 analysis of the industry’s leading trade magazine found that ostensibly ‘mainstream’ video pornography became markedly more extreme and openly degrading to women.²³ At the same time as pornography use has become more mainstream, openly and collectively practised, mainstream pornographic ‘objects’ or artifacts have become more hardcore. As writers like Rebecca Whisnant and Gail Dines have noted, it is no longer ‘your father’s *Playboy*’ that is in question.²⁴ What boys now get off on in accessing pornography is not a glossy picture in a magazine of a blonde girl with her finger in her mouth and a faraway look in her eyes.

Part of the difficulty in making an accurate assessment of the brutality of the pornographic *material* that is accessed by children (or by adults for that matter) also lies in the use of different definitions and understandings of violence. For example, some researchers define ‘violence’ (and ‘aggression’) so narrowly that their research finds that there is almost none of it on pornography sites.²⁵ This narrow definition of ‘violence’ often turns not on whether acts of violence *per se* are done, but on whether there is a semblance of consent by the ‘actors’ to that violence (or perhaps better phrased as whether there is an absence of non-consent). As noted above, I use a human rights-based understanding of violence and of its potential harms as set out in the UN Declaration on the Elimination of Violence Against Women. It is also of course the case that not all materials on sites like Pornhub are the same: as emphasized above, people access and use pornographic objects in different ways, and users are not all affected in exactly the same way. Similar caveats could be made, say, about cigarettes or cigarette advertising without affecting the validity of a critique of the tobacco industry.

More detailed research in this area of *access* to ‘hardcore’ pornography is needed, as also noted in the report for the UK Children’s Commissioner, but the evidence we already have of what is freely available for children to access on the internet is of great concern in terms of violence against women and girls. The evidence of early and repeated direct exposure of boys, and to a lesser extent, of girls in Australia to pornography, whether softcore or hardcore, is also largely uncontested ground between defenders and critics of pornography. As early as 2007, Michael Flood provided useful empirical evidence of age of access of young people in Australia,²⁶ with the median age of first encounter with pornography in Australia as 11, and the median age of having sex with another person as 16. This means that young people today usually have sex with or via an image, that is, they ‘have pornography’, long before they have relations of any depth of sexual intimacy with another person. Oddly, a frequent form of inquiry and report on age of exposure is as to the age when children first ‘see’ pornography; this peculiar way of speaking is perhaps a throwback to an age of printed pornographic material, or perhaps simply an unnecessarily coy euphemism.

²² Abigail Bray, ‘Merciless Doctrines: Child Pornography, Censorship, and Late Capitalism’ *Signs: Journal of Women in Culture and Society* 37 (2011). The exclamation marks of the cited category’s title are in the original, and the term humiliation is used unapologetically.

²³ Meagan Tyler, “‘Now That’s Pornography!’: Violence and Domination in *Adult Video News*” in *Everyday Pornography* ed. Karen Boyle (New York: Taylor & Francis, 2010).

²⁴ Rebecca Whisnant, ‘Not Your Father’s *Playboy*, Not Your Mother’s Feminist Movement: Feminism in Porn Culture’ in *Freedom Fallacy: The Failures of Liberal Feminism* ed. Miranda Kiraly and Meagan Tyler (Melbourne: Connor Court Publishing, 2015); Gail Dines, ‘Not Your Father’s *Playboy*’ *Counterpunch* 17 May 2010, www.counterpunch.org/2010/05/17/not-your-father-s-playboy/.

²⁵ Alan McKee, ‘Methodological Issues in Defining Aggression for Content Analyses of Sexually Explicit Material’ *Archives of Sexual Behavior* 44 (2015); cf. Helen Pringle, ‘The Porn Report: A Studied Indifference to Harm’ in *Big Porn, Inc: Exposing the Harms of the Global Pornography Industry* ed. Melinda Tankard Reist and Abigail Bray (North Melbourne: Spinifex Press, 2010); Ana J. Bridges, Chyng F. Sun, Matthew B. Ezzell and Jennifer Johnson, ‘Sexual Scripts and the Sexual Behavior of Men and Women Who Use Pornography’ *Sexualization, Media & Society* online (2016).

²⁶ Michael Flood, ‘Exposure to Pornography among Youth in Australia’ *Journal of Sociology* 43 (2007); see also Maree Crabb and David Corlett, ‘Eroticising Inequality: Technology, Pornography and Young People’ *Domestic Violence Resource Centre Victoria Quarterly* 3 (2010). More recent figures continue to show even more disturbingly early and frequent exposure.

2. Pornography's impact on young people and their lives

The 2013 report commissioned by the UK Office of the Children's Commissioner as part of its inquiry into Child Sexual Exploitation in Gangs and Groups remains one of the most reliable sources for exploring the impact of pornography on children.²⁷ Although this report involved children in England, there is little evidence to suggest that the findings are radically different from the situation in other developed western nations like Australia or the US. The report is cautious in its findings, but provides sufficient evidence and analysis for grave concerns about the impact of early and repeated exposure of boys in particular to pornography, and how this relates in turn to practices of sexual inequality and violence against girls and women.

My own research can add little to the kind of data collection that was undertaken for the report of the Children's Commissioner and other such reports since that time. What I do bring to bear in terms of assessing the impact of pornography on children is research and analysis of criminal prosecutions for possession and use of pornography. The valuable evidence that prosecutions provide of pornography use by young people (and also of adults) has not been drawn on in any depth in Australian scholarly or government research. One barrier to such research is that prosecutions of minors are, appropriately, not conducted in open court or freely reported. But even so, stories of the beginnings and development of pornography use are often available through accounts given in court by adults about their childhood experiences with pornography.

One form that access to pornography associated with the internet takes among young people that is increasingly coming to judicial notice involves pornographic practices initiated and conducted by children in their everyday lives. For example, children make and circulate pornography at the edges of the global market, with sext-selfies as a kind of low-grade pornography being the most well-known and publicly controversial example of such practices. There is a growing literature on 'sexting' practices and their significance among children, which I cannot fully address here for reasons of space. Boys from both public and private schools in Australia figure regularly in such practices. For example, in 2024, there were several reported cases of students (and teachers) whose social media photos were manipulated by AI into 'deep fake' pornographic images and circulated among other schoolboys.²⁸

Another practice is the making and circulation for upload, sale or swap of images and videos, usually with no semblance of agreement or consent by the subjects of the images. An example is the videotaping for the purposes of circulation on the internet and other forums of the sexual humiliation of girls and women with disabilities. In conversation with defenders of pornography, such practices have been characterized to me as 'sexual assault' rather than pornography, in an apparent attempt to 'save' pornography from censure. The idea that sexual assault might not be distinct from pornography, or that it might act in concert with it, is not a possibility that my interlocutors care to consider.

An illustration of this practice was a notorious incident in Werribee in Victoria in 2006, which involved a gang of twelve young boys calling themselves the 'Teenage Kings of Werribee'. The boys made a DVD entitled *Cunt: The Movie*, in which they urinated on a girl with (reputed) intellectual disabilities and set her hair on fire in the course of sexually assaulting her. In the DVD, one of the boys laughs to the camera, saying, 'What the fuck, she's the ugliest thing I have ever seen.' The DVD also included other incidents like dropping flares on a homeless man and throwing eggs at taxi drivers. The boys then posted segments of the DVD on YouTube under the title *Pimp My Wife*.²⁹ A detective from the Victorian Sexual Crimes Unit at the time noted of the case, 'We have taken a statement from the girl and she states

²⁷ Miranda A.H. Horvath et al., for the Office of the Children's Commissioner, *Basically... Porn is Everywhere: A Rapid Evidence Assessment on the Effects that Access and Exposure to Pornography has on Children and Young People* (London, 2013),

<https://www.childrenscommissioner.gov.uk/resource/basically-porn-is-everywhere/>.

²⁸ For illustrative incidents, see 'Police Investigate Fake Nude Photos of about 50 Bacchus Marsh Grammar Students Being Circulated Online' *ABC News* 11 June 2024, <https://www.abc.net.au/news/2024-06-11/bacchus-marsh-grammar-explicit-images-ai-nude/103965298>; Mikaela Ortolan and Danny Tran, 'Victorian Teachers Also Victims of Fake Explicit Images Created by Students using AI' *ABC News* 13 June 2024, <https://www.abc.net.au/news/2024-06-13/ai-generated-deepfake-pornography-school-students-teachers/103969414>.

²⁹ Daniella Miletic, 'Rape Probe over Sex Attack DVD' *The Age* 25 October 2006, <http://www.theage.com.au/articles/2006/10/25/1161699379876.html>. See also for a broader context again, Katharine Quarmby, 'Media Reporting and Disability Hate Crime' in *Disability, Hate Crime and Violence* ed. Alan Roulstone & Hannah Mason-Bish (Oxford: Routledge, 2013).

quite categorically that she was not a willing participant on [sic] what occurred on that particular occasion and that confirms the basis of the offence'.³⁰ (I would however question what, if any, significance consent or 'willing participation' bears in assessing the *wrong* of such acts of ritual humiliation.) In April 2007, seven of the young Werribee men appeared in the Melbourne Children's Court charged with assault, making child pornography and procuring sexual penetration by intimidation.³¹ The boys' main reaction was and continued to be laughter: in 2009 one of the boys who had not been charged posted a rap song on YouTube that named the victim and laughingly reiterated the elements of the crime while criticizing the 'cunts who judge us' and saying that they could all 'get fucked'.³²

Other cases of 'home-made' humiliation videos involve collective sexual assault ('gangbangs') on unconscious or intoxicated girls, as for example the 'GoPro incident' in Sydney in May 2015, involving a group of men at a party, the youngest of whom was 17, who gang-raped an unconscious girl aged 16 and filmed the assault. The incident was not immediately reported but the video was later found by police on a phone during another investigation, and the participants were charged with aggravated sexual assault.³³ The video seems to fit squarely in the PornHub category of 'Passed Out Pussy' noted above. The commonly-asked question of whether pornography 'caused' this assault (as in the 'command' model of causation in which man 'sees' porn, man rapes woman) seems to miss the point: we now live in a *pornographic world*, a world in which such harms are systematically inflicted on the basis of sex.

Such cases as these indicate that some young people are not merely recording the commission of sexual assault, but are committing sexual assault in part *in order to* make a pornographic artifact that can be circulated or posted online. This practice is not restricted to Australia, a notorious US example being the Steubenville incident in Ohio, involving a high school football team.³⁴ These collective practices of assault as a project in the creation of pornography are very different from the older archetypal pattern of access and consumption noted above, in which a lone boy in a darkened room masturbates to a 'men's magazine'. In general, access to and use of pornography by young people is now more likely to be explicitly collective in form, a pattern that is disturbingly similar in its form to the creation and use of the Abu Ghraib torture photographs, which also were not records of torture merely, but rather the *staging* of torture *in order to* circulate the images on the internet and elsewhere.³⁵ The practice of pornography is increasingly taking the form of public collective entertainment more than private individual titillation.

This pattern of the collective character of practices of pornography can be discerned even in cases of related prosecutions of *individuals*. The prosecution of a young university student in Australia forms an illustration here. In this case, my account is drawn from open-access court documents, available inter alia via the Australian legal research site austlii.edu.au, which record the student's conviction for possession of 'child abuse materials' (child pornography).³⁶ Marcus Puhakka was prosecuted for crimes committed when he was a young adult, and no longer a minor, but he had

³⁰ Daniella Miletic, 'Outcry over Teenage Girl's Assault Recorded on DVD' *The Age* 25 October 2006, <https://www.theage.com.au/national/outcry-over-teenage-girls-assault-recorded-on-dvd-20061025-ge3evq.html>.

³¹ Sasha Shtargot, 'Werribee DVD Youths Plead Guilty, Avoid Jail' *The Age*, 21 July 2007, <http://www.theage.com.au/news/national/werribee-dvd-youths-plead-guilty-avoid-jail/2007/07/20/1184560043673.html>.

³² Anthony Dowsley and Kelvin Healey, 'Werribee Sex DVD Ringleader's Hate-filled Rap Song on Web' *Herald Sun* 13 April 2009, <http://web.archive.org/web/20090413190710/http://www.news.com.au/heraldsun/story/0,21985,25325367-661,00.html>.

³³ Ava Benny-Morrison, 'Father Defends Son Charged over Alleged Gang-Rape of Teenage Girl Filmed on GoPro, *Sydney Morning Herald* 16 October 2015, <http://www.smh.com.au/nsw/father-defends-son-charged-over-alleged-gangrape-of-teenage-girl-filmed-on-gopro-20151015-gka6ld.html>; Lucy Mae Beers, Cindy Tran and Daniel Piotrowski, "'The Way He Gets On with Girls... Why Would He Waste His Time?": Father Defends His Son who Police Say "Encouraged" Five Friends to Gang Rape a Girl, 16, as He Filmed on his GoPro Camera' *Mail Online* 16 October 2015, <http://www.dailymail.co.uk/news/article-3274025/The-way-gets-girls-waste-time-Father-defends-son-police-say-encouraged-friends-gang-rape-unconscious-girl-16-filmed.html>.

³⁴ See Juliet Macur and Nate Schweber, 'Rape Case Unfolds on Web and Splits City' *New York Times* 16 December 2012, <http://www.nytimes.com/2012/12/17/sports/high-school-football-rape-case-unfolds-online-and-divides-steubenville-ohio.html>.

³⁵ See D.A. Clarke, 'Prostitution for Everyone: Feminism, Globalisation, and the "Sex" Industry' in *Not for Sale: Feminists Resisting Prostitution and Pornography* ed. Christine Stark & Rebecca Whisnant (North Melbourne: Spinifex Press 2018).

³⁶ *Puhakka v R* [2009] NSWCCA 290, <http://www.austlii.edu.au/cgi-bin/sinodisp/au/cases/nsw/NWSCCA/2009/290.html>, also discussed in Helen Pringle, 'Civil Justice for Victims of Child Pornography' in *Big Porn, Inc: Exposing the Harms of the Global Pornography Industry* ed. Melinda Tankard Reist and Abigail Bray (North Melbourne: Spinifex Press 2011).

begun accessing pornography on the internet by the age of ten, and at some point as a teenager he first sought out and downloaded child pornography. The material he accessed included, for example, ‘a cartoon of a dog having sexual intercourse with a girl apparently under the age of ten’, together with videos having a COPINE rating of 10 (the highest level) such as ‘a baby bound and sexually assaulted, a two year old girl subjected to anal intercourse, numerous images of young girls apparently heavily sedated being sexually assaulted and a girl under ten bound and subjected to an act of anal intercourse while crying with the pain’. What attracted Puhakka in accessing pornography was not just cruelty, but sexual cruelty. The court psychological report noted that he ‘displayed little insight and little affect regarding the charges’, possibly because he had been viewing pornography for nearly a decade by the time he faced court.

The court psychologist indicated that Marcus Puhakka was not a pedophile in the sense that he had abused or even wanted to abuse children whom he knew. He did not ‘act out’,³⁷ at least in the sense of *contact* assault of actual children. And he did not make images by recording abuse of children; he simply downloaded and viewed them. It is also the case that some of his cache of materials comprised cartoon or virtual pornography, that is, material produced without an original incident/s of the abuse of identifiable children.³⁸ Indeed, some writers argue on the basis of cases like that of Marcus Puhakka that downloading images is in some sense ‘victimless’. In this way of thinking (which I do not share), viewing, reading, or masturbating to pornography of any kind is claimed to be not a wrong, as well as being (comparatively) harmless, because doing so does not itself harm an identifiable victim. On this basis, some influential academic and popular media accounts dispute the seriousness of downloading and possession of pornography.³⁹ What such accounts do is to fit cases like Puhakka’s accessing of pornography into the more traditional mode of the ‘lone ranger’ viewer of pornography rather than of the collective practices I have just noted. In other words, the young offender is portrayed as a (socially inept) loner who has accessed the ‘wrong type’ of pornography. In order to make this individualistic picture of the ‘crime scene’ compelling, collective practices of pornography must be bracketed out of the picture, such that access and downloading are unfortunate, but not of themselves harmful, practices in that they do no harm to specific identifiable persons.

Although Puhakka’s case is not necessarily ‘typical’ of access to pornography by children and young people, it is in fact not so exceptional in court records. The myth that such offending is rare is quickly dispelled by the other cases cited by Judge Blanch in terms of Marcus Puhakka’s appropriate sentencing. Two other cases, one Australian and the other from England, further illustrate this trend in pornography use. In both cases, the collective practices in which individual users are embedded become clearer.

Matthew David Graham (aka ‘Lux’) faced sentencing in Melbourne, Australia, in March 2016 for child pornography, child abuse and ‘hurtcore’ pornography convictions.⁴⁰ While living at home with his parents in his final year as a VCE student at Epping Secondary College, Matthew became a principal figure in a ring of child pornography so extreme that the sentencing judge remarked, ‘It is as if he is from another planet.’⁴¹ Matthew had distributed through his network a video allegedly made by Peter Scully, an Australian adult man who faced murder, rape and human trafficking charges in the Philippines. The video, entitled *Daisy’s Destruction*, featured the torture and rape of an Asian toddler. Judge Michael Tinney told the court, ‘I am very much into uncharted territory.... How any human can view [*Daisy’s Destruction*] impassively ... the infant was being tortured, actual physical torture, an extremely trusting, vulnerable child who begins smiling wearing a nappy and ends a wailing physical wreck.... I have seen some shocking things over the journey of my career and I have never seen anything like that’.⁴² Another charge was related to Graham’s

³⁷ I am very aware of the problems in using the term ‘act out’ in this and other such cases.

³⁸ See Helen Pringle, ‘Cartoon Wars: The Interpretation of Drawn Images’ in *Re-mapping the Future: History, Culture and Environment in Australia and India* ed. Raelene Frances and Deb N. Bandyopadhyay (Newcastle: Cambridge Scholars Publishing, 2013).

³⁹ For example, Amy Adler, ‘The Perverse Law of Child Pornography’ *Columbia Law Review* 101 (2001); Rachel Aviv, ‘The Science of Sex Abuse: Is It Right to Imprison People for Heinous Crimes They Have Not Yet Committed?’ *The New Yorker* 14 January 2013, <http://www.newyorker.com/magazine/2013/01/14/the-science-of-sex-abuse>.

⁴⁰ *The Queen v Graham* [2016] VCC 305. An outline of the case and charges against Graham is set out in Commonwealth Director of Public Prosecutions, ‘Head Administrator of Child Exploitation Sites on Dark Web Gaoled for over 15 Years’ 17 March 2016, <https://www.cdpp.gov.au/news/head-administrator-child-exploitation-sites-dark-web-gaoled-over-15-years>.

⁴¹ Chris Johnston, ‘Shocked Judge Says It Seems Pornographer Matthew Graham is “From Another Planet”’ *The Age* 18 February 2016, <http://www.theage.com.au/victoria/shocked-judge-says-it-seems-as-if-child-pornographer-matthew-graham-is-from-another-planet-20160218-gmxhwh.html#ixzz41Z2m8HHL>.

⁴² Chris Johnston, ‘“Lux” and the Child Pornography Crimes Too Awful to Print’ *The Age* 3 February 2016,

encouragement of a British man to rape a seven-year-old girl with muscular dystrophy who was in his care, and to his giving advice to the man on how to conceal his identity in a video. Judge Tinney noted that a further charge of advising a Russian man on how to abduct, rape and kill a five-year-old girl, and film it, was unprecedented in his experience.⁴³

Like Marcus Puhakka (although with less plausibility in my view), Matthew Graham was classified as a ‘non-contact offender’, meaning that he did not actually assault children physically, but rather incited and/or encouraged their rape and murder by others. Matthew had told police he was not a paedophile but that he felt ‘power within the community’ through his actions; in order to gain further ‘respect’, Matthew often assumed the online identity of an American paediatrician with access to children. He did act as a babysitter for families in his neighbourhood.

The case in England involved a secondary school student at Eton, Andrew Picard, who was found to possess on his computer over 2,000 pornographic images of children as young as two years old, including images of torture-rape and bestiality, some of which he had made himself.⁴⁴ At the age of 17, Picard was apprehended by an undercover officer in a Skype chatroom for teenagers when he messaged the officer, ‘Do you want to see pics of boys and girls your age nude?’. Picard boasted of having hundreds of such images and shared with the officer indecent images of a boy aged 10, and girls aged 8 and 14.⁴⁵

I am not citing these cases as necessarily typical of the way young people access and use pornography on the internet. These cases I have noted could be dismissed as outliers, and their citation in discussion about pornography as misleading. However, they are indicative of emerging patterns of use of ‘hurtcore’ and torture pornography more generally. What the different cases all illustrate is the desensitising of children and young people to cruelty and degradation through early and repeated exposure to pornography, and in particular desensitisation to sexual cruelty to girls. The cases are illustrations of a trend in the ‘mainstream’ consumption of pornography.

A provisional conclusion at this point of the submission is first, that it is misleading to understand pornography as an individual practice of access and consumption. Even where an individual appears to be simply a solitary ‘end user’, he (or she) is embedded in collective patterns of production, circulation, access and of use. This immediately raises doubts about a ‘public health approach’ focusing on the physical and mental health of end users (in terms of porn or internet addiction, say). A second provisional conclusion is that it is not invariably the case that the primary wrong or ‘harm’ of pornography is best identified in terms of its being subsequently acted out in contact abuse or violence. Understanding the pornography industry fully involves locating its harms not only in the production and acting out stages, but in the stages of circulation, access and initial use. And third, the cruelty and humiliation discernible both in pornographic objects like videos and in collective usage patterns is not simply a random cruelty but is gendered in a way that fits with understandings of gender-based violence set out in the *Declaration on the Elimination of Violence against Women*. that is, cruelty is conformed into patterns of violence against women and girls.

<http://www.theage.com.au/victoria/lux-and-the-child-pornography-crimes-too-awful-to-print-20160203-gmkxtr.html>; Chris Johnston, ‘Judge Asked to Peer into the Abyss as “Hurtcore” Paedophile Matthew Graham Fronts Court’ *The Age* 3 February 2016, <http://www.theage.com.au/victoria/judge-asked-to-peer-into-the-abyss-as-hurtcore-pedophile-matthew-graham-fronts-court-20160203-gmkm6u.html#ixzz41Z3VcvCB>; Chris Johnston and Nino Bucci, ‘How Matthew David Graham’s “Hurtcore” Paedophile Habit Began on the Dark Web’ (2015) *The Age* 9 September, <https://www.theage.com.au/national/victoria/how-matthew-david-grahams-hurtcore-paedophile-habit-began-on-the-dark-web-20150908-gjhz43.html>.

⁴³ Chris Johnston, “Lux” and the Child Pornography Crimes Too Awful to Print’ *The Age* 3 February 2016,

<http://www.theage.com.au/victoria/lux-and-the-child-pornography-crimes-too-awful-to-print-20160203-gmkxtr.html>.

⁴⁴ I explore in depth the frequent association of possession of animal abuse and child abuse materials elsewhere.

⁴⁵ Siobhan Fenton, ‘Eton Pupil Andrew Picard Spared Jail after Creating and Sharing Thousands of “Appalling” Child Abuse Images’ *The Independent* 26 February 2016, <http://www.independent.co.uk/news/uk/crime/eton-pupil-andrew-picard-convicted-of-creating-and-sharing-child-abuse-images-a6896966.html>.

3. What are children and young people learning from pornography?

A study by David Comer Kidd and Emanuele Castano of the effects on readers of literary fiction found that spending only a few minutes reading a work of literature could increase the empathy of adults.⁴⁶ It would be implausible then if spending only a few minutes in the company, say, of Max Hardcore did not have stunting effects on the development of empathy. By empathy here, I mean a (Kantian) capacity to recognize another person as an end in herself, not as a means to our own ends or as an object. The development of empathy in citizens in this respect is integral to a democracy based on recognition of the equal dignity of all regardless of their sex or gender. There is no evidence to suggest that children ‘learn’ such values or qualities in their interactions with pornography.

Some writers argue that the greater accessibility of pornography to children and young people is not necessarily a bad thing, on the basis that pornography has long been argued to act as a form of sex education.⁴⁷ There is a truth here, in that this is certainly one of the ways in which pornography works. Marcus Puhakka for example had *learnt* about sex from pornographic materials that he accessed on the internet. The type of material that is easy to find, or even to stumble upon, on the internet educates boys, *and* girls, about what sex is, how they should do it, what they should expect their partners to do, and what they should expect it to be like. Pornography eroticises domination over others, gives it a ‘kick’.⁴⁸ That is, when boys masturbate, individually or collectively, to pornography, they are getting off on sexual inequality. There is no question that pornography teaches – and one of its primary lessons is that inequality and dominance are natural, exciting, sexy, and cool.

Young people’s understanding and experience of sex, but also their understanding of gender and sexuality more broadly, are increasingly shaped by what they or their peers observe and experience in pornography. It is not an exaggeration to say that we now live in a pornographic (porn) culture. By ‘porn culture’, to use a term popularized by Gail Dines, is meant not simply a sexualized culture, but a culture where our lives are sexualized through a porn aesthetic, in which boys are allocated a very different role from girls. Such an aesthetic *reflects* social patterns of dominance and subordination, but it also *forms* society and how we understand who we are when we live in it. Pornography is *performative* in that sense: it performs sex and it performs or enacts sex as inequality. Young people’s expectations and practices are increasingly shaped by an image of sex that is deliberately painful or violating. A high value is not placed on respect, mutuality, communication, or tenderness in the sexual ‘scripts’ that young people are learning today.⁴⁹ To emphasize again, this is not simply sexualisation, but more properly pervasive pornographication.⁵⁰

Many writers who are defensive of pornography make the point that not only does it serve as a form of educating young people about sex. They argue that it can play this role because it is *harmless*, apart from certain very extreme or non-consensual forms which are allegedly few, and far from the ‘mainstream’. The argument of such defenders of pornography is that in order to prove harm by pornography, one must show a direct, one on one, *causal* relationship between consumption of a pornographic object and the commission of an act of gross sexual violence. However, it is simply not the case that in order to ascertain the formative and performative harms of pornography, we would need to establish that kind of causal relationship on the model of a coercive command that cannot be refused. These defensive contentions about what would count as harm in the context of pornography are simply outdated. When we understand and address pornography in a human rights context, in terms of violence against women and girls, the question of harm is connected to questions of sexual violence and subordination, in a pornographic world.

⁴⁶ David Comer Kidd and Emanuele Castano, ‘Reading Literary Fiction Improves Theory of Mind’ *Science* 342 (2013), <http://science.sciencemag.org/content/sci/early/2013/10/02/science.1239918.full.pdf>.

⁴⁷ Laura E. Simon, Kristian Daneback and Anna Sevciková, ‘The Educational Dimension of Pornography: Adolescents’ Use of New Media for Sexual Purposes’ in *Living in the Digital Age: Self-presentation, Networking, Playing, and Participating in Politics* ed. Pascaline Lorentz, David Šmahel, Monika Metyková and Michelle F. Wright (Brno: Muni Press, 2015).

⁴⁸ Catharine A. MacKinnon, *Only Words* (Cambridge MA: Harvard University Press, 1993) 16.

⁴⁹ Chyng F. Sun, Ana J. Bridges, Jennifer A. Johnson and Matthew B. Ezzell, ‘Pornography and the Male Sexual Script: An Analysis of Consumption and Sexual Relations’ *Archives of Sexual Behavior* 45 (2016) 45 esp. 990–991; Ana J. Bridges, Chyng F. Sun, Matthew B. Ezzell and Jennifer Johnson, ‘Sexual Scripts and the Sexual Behavior of Men and Women Who Use Pornography’ *Sexualization, Media & Society* online (2016).

⁵⁰ Meagan Tyler and Kaye Quek, ‘Conceptualizing Pornographication: A Lack of Clarity and Problems for Feminist Analysis’ *Sexualization, Media, & Society* 2 (2016).

A prominent defender of pornography, Alan McKee, has characterised pornography as entertainment, as if this characterisation lifted the genre, its practices and its artifacts out of the realm of critique as well as of censure.⁵¹ It is true that a common reaction to pornography, especially in collective activities, is laughter. An example is patterns of use around a notorious video called *Two Girls One Cup*, actually a trailer for a Brazilian film called *Hungry Bitches*, which was made and first posted online in 2007. After the trailer/video was posted, it became a viral practice to play it for a group of people, in order to video their reactions, with the reaction videos in turn posted online. There are now millions of videos on this search term, some being remakes or parodies of the original trailer. The reaction videos have large numbers of views, more than 25 million in one case. The viewers who post their reaction videos are often very young; I have noticed videos posted by children of 5-6 years old.

This is a novel phenomenon in the consumption of pornography: the process of videoing oneself watching pornography, and then posting that video on YouTube or other services. It was not technologically possible, at least as a kind of ‘democratic’ process, until perhaps 15-20 years ago. The laughter in the reaction videos attests to an apparent refusal of young viewers to be shocked or disturbed by what they see; when viewers do react with disbelief or distaste, they are laughed at in turn by the operator of the camera. Indeed, the reaction videos tend to closely follow a script, with the common ‘moral’ of the story being that it is not cool to stay serious, but rather, one must laugh at oneself and at others when any residual sense of shock or disturbance is manifested. The ‘scripted’ reaction to pornography objects in this case is laughter. Far from being an individual pursuit, this practice is a rehearsal of the consumption of pornographic objects that is repeated over and over again with very little variation. There is nothing individual or even spontaneous about it.

What does this laughter signify, and why should it be of concern to us? The viewers of *Two Girls One Cup* and the viewers of their reaction do not collectively masturbate, or achieve sexual arousal from the practice (or this at any rate is not shown or referred to on screen in the reaction videos). Instead the viewers laugh – and they set in train an infinite laugh such that viewers of YouTube laugh at them laughing. This practice indicates that pornography has as much or more to do with humiliation and even cruelty than with sex *simpliciter*, and that children’s laughter at this spectacle of cruelty should concern us even more perhaps than children ‘getting off’ sexually on pornography. This example runs parallel to the making for use of amateur videos involving the sexual humiliation and assault of young girls, noted above, where the making and use are not purposed for sexual arousal and erotic satisfaction, but for the humiliation of girls through the assertion of a power explicitly figured as masculine.

The laughter of pornography by children as well as adults is at least in some cases akin to the laughter of cruelty that greets dwarfs in a circus, or the throwing of dwarfs as part of pub revels. The notion of ‘putting on a show’ with its overt sexual overtones runs throughout the way in which a socially created deformity or disability becomes a source of mirth and a site of entertainment. When women form the spectacle in pornographic videos, they fill that space of the dwarfs, laughed at and mocked.⁵² A significant implication of this is that a commonly-used ‘definition’ of pornography as sexually explicit material intended to arouse sexual excitement seems simplistic and misleading as to what it *does*, at least in *this* world.

There is immense pressure in our society for people not to react to pornography as if it raises serious questions, but rather to laugh it off, and to laugh off their own reservations. Pornographic laughter is also used against those who voice concerns about any kind of demeaning treatment of women and girls, whether in entertainment, advertising or political discourse. That is, the response is that pornography is all just one big joke – and that women, in particular, need to stop taking things so seriously.⁵³ Complaints about the pornographic depiction of women become an occasion for further mocking laughter and derision at their being ‘stitched up’, or being ‘man haters’. Images and themes drawn

⁵¹ Alan McKee, ‘Pornography as Entertainment’ *Continuum: Journal of Media & Cultural Studies* 26 (2012); Alan McKee, ‘The Importance of Entertainment for Sexuality Education’ *Sex Education: Sexuality, Society and Learning* 12 (2012).

⁵² The scenes in the film *The Wolf of Wall Street* (2013) concerning the organization of a dwarf-throwing entertainment for an office party are illustrative of the dynamic at work in such cases.

⁵³ See for example Ben Pobjie, ‘Porn. Don’t Knock It ‘til You’ve Tried It’ *The King’s Tribune* 5 January 2012, www.kingstribune.com/magazine-archive/january-2012/item/1419-porn-don-t-knock-it-til-you-ve-tried-it.

from the pornography industry are increasingly used to belittle women and denigrate their standing through making them figures of fun.

It is not surprising in this context that children often respond to questions about pornography by saying that they are not overly worried by it. A report of a 2011 study by Australian researchers found that children were largely not 'bothered' by viewing pornography.⁵⁴ It would be in fact be surprising if a report found otherwise in a context where concern for the impact of pornography is an indication to many academic researchers, as well as more broadly, of being gripped by a 'moral panic', that is, of being decidedly 'uncool'. Defenders of the pornography system often characterize opposition to or even concern about its impact as indicating a lack of a 'sense of humour' or lack of comfort with 'fun' as a form of 'entertainment'. In this context, the claim is often made that expressed concerns for children affected by pornography is the wedge by which pornography more generally is now opposed, that is, that children are being used like 'human shields' for an agenda around 'a new puritanism'. Robbie Swan, founder of the peak lobby for the Australian sex industry, the Eros Association, set this argument out very clearly in noting, 'Most of the religious rhetoric directed at the sex industry during the 1990s concerned a loss of innocence and the "harm" done to children by pornography and commercial sex'.⁵⁵ Swan concluded his remarks by saying:

... the repression of sex is decidedly unhealthy. At an individual level, *New Scientist's* 2004 report on the sex lives of 30,000 men showed that the more frequently men ejaculated, whether through sex or masturbation, the less prostate cancer they developed in later life.... at an official and institutional level, sexual repression comes with serious consequences for the whole community. As far as human needs go, sexual desire is up there with hunger and the will to survive. When it hits a man in the groin, it easily trumps a 2000-year-old Abrahamic belief system centred somewhere in the frontal lobes of the cortex.⁵⁶

This risible statement as to the inevitability of an insistent male sexual desire at the heart of pornography and modern sexual practices more generally, which if frustrated leads to serious health problems for both individuals and society, is completely at odds with modern understandings of sex and sexuality as socially and historically constructed. As the *Declaration on the Elimination of Violence against Women* notes, 'violence against women is a manifestation of historically unequal power relations between men and women, which have led to domination over and discrimination against women by men and to the prevention of the full advancement of women, and ... violence against women is one of the crucial social mechanisms by which women are forced into a subordinate position compared with men'.⁵⁷ Pornography now presents a crisis in terms of sex and gendered violence, not a crisis of public health in which the opposing sides are puritanism and the healthy sexual life of (male) libertinism.

Conclusion

It is important to listen to what children and young people say about pornography and how they feel about it. However, it is also crucial to listen to what they *are able to say* about pornography, that is, to be open to the constraints within which they can speak and be heard with credibility and acceptance. Without a vocabulary to express one's feelings, and without a context of acceptance of those feelings, what children and others say about what they feel will differ decisively. The available vocabulary for speaking of cruelty and violence in a sexual context is very limited in terms of social acceptance, which is so crucial for a child growing towards autonomy. It is for this reason that the adoption of a VAWG approach for understanding pornography becomes an urgent task, not merely because it enables us to understand pornography and how it works today more fully and accurately. Such a strategy provides a different framework for speaking and for listening to what children, and especially in this context girls, feel about pornography

⁵⁴ Lelia Green, Danielle Brady, Kjartan Ólafsson, John Hartley and Catharine Lumby, 'Risks and Safety for Australian Children on the Internet: Full Findings from the AU Kids Online Survey of 9-16 Year Olds and their Parents' *Cultural Science* 4 (2011).

⁵⁵ Robbie Swan, 'Correspondence' *Quarterly Essay* 52 (2013) 81; see also Catharine Lumby and Kath Albury, 'Too Much? Too Young? The Sexualisation of Children Debate in Australia' *Media International Australia* 135 (2010).

⁵⁶ Robbie Swan, 'Correspondence' *Quarterly Essay* 52 (2013) 83.

⁵⁷ UN General Assembly [UNGA], *Declaration on the Elimination of Violence Against Women*, 20 December 1993, A/RES/48/104, Article 1, <https://digitallibrary.un.org/record/179739?ln=en>.

and its impact on their lives – and on what it means, and what it takes from them, to live in a pornographic world.

Responding to pornography as part of a strategy on VAWG provides an example of what it means to take pornography seriously. For example, successive formulations by the Scottish government of this strategy⁵⁸ make links between different forms of violence against women and girls. The strategy requires a suite of measures (and of research) across a broad front covering areas such as domestic violence, forced marriage, honour-based violence, female genital cutting, rape and other sexual offences, prostitution and trafficking, child abuse – and pornography. Such a strategy is not oriented to achieving harm minimisation or reduction, but to reaching goals of equality and dignity among all citizens, and with respect to children and young people as they grow to adulthood.

An example of an appropriate measure formulated within this broad approach would be the establishment of a claims process for restitution on a meaningful level for sexual violence, such as has been available to victims of pornography in the US *Violence against Women Act* of 1994, particularly in regard to the harm of child pornography.⁵⁹ The revision of legal formulations of child pornography (or child abuse materials) and of sentencing guidelines on pornography⁶⁰ would also be useful in terms of underlining the seriousness of questions about pornography. Penalties for the viewing, downloading and possession of pornography should be set at a high level not only in order to lead perpetrators to reconsider their actions, but also to impress upon children and others that this is a serious matter, in terms of the freedom of women and girls from violence and subordination, rather than in terms of an ungendered benchmark of public health. Such an approach around VAWG is a long-term project, but has immediate potential in terms of recalibrating the seriousness of pornography in connection with gendered violence. At stake is creating a space and a vocabulary in the public discussion of pornography that allows for and hears different voices and different stories from those that fit the pornographic narrative of acceptance of cruelty and violence as ‘cool’.

⁵⁸ See Scottish Government/Riaghaltas na h-Alba, *Equally Safe: Scotland's Strategy for Preventing and Eradicating Violence against Women and Girls*, December 2023, <https://www.gov.scot/publications/equally-safe-scotlands-strategy-preventing-eradicating-violence-against-women-girls/>.

⁵⁹ Helen Pringle, ‘Civil Justice for Victims of Child Pornography’ in *Big Porn, Inc: Exposing the Harms of the Global Pornography Industry* ed. Melinda Tankard Reist and Abigail Bray (North Melbourne: Spinifex Press, 2011). The restitution provision discussed was reformulated in the *Amy, Vicky, and Andy Child Pornography Victim Assistance Act of 2018 (AVAA)* in the wake of the case *Paroline v US* 572 US 434 (2014), <https://www.supremecourt.gov/opinions/boundvolumes/572BV.pdf>.

⁶⁰ See for example Pierrette Mizzi, Tom Gotsis and Patrizia Poletti, *Sentencing Offenders Convicted of Child Pornography and Child Abuse Material Offences*, Judicial Commission of New South Wales Monograph no. 34 (2010), <https://web.archive.org/web/20110217180227/https://www.judcom.nsw.gov.au/publications/research-monographs-1/research-monograph-34/Monograph34.pdf>.