

# CHILD PORNOGRAPHY

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## ABSTRACT

Child pornography is considered as one of the most a heinous crime in today's society and in the world also. Pornography in simple words means videos and images with an intention to sexual excitement. Today there are many websites on internet which covers porn sites which leads to exploitation of women and children. Protecting children from changing societal norms are very important so that children cannot access wrong content by own their own. Today's modern technology can trap any person including children and children being vulnerable goes through mental and physical torture which leads to child abuse.

There is a need for stringent laws regarding the same. The research paper studies about pornography and its impact on society and legal issues related to child pornography in India. The paper also deals with various other issues and challenges of child pornography.

**Key words**-Child pornography, sexual, society, laws, child abuse

## Introduction

The word erotica comes from the Greek eroticism, which literally means writing about prostitutes. One of the most commonly accepted definitions of pornography in modern times is that of pornographic material (oral or picture). In other words, it is primarily intended to induce sexual arousal in the viewer. When a value judgment is attached to this definition, pornography is considered sexually explicit material designed to arouse sexual arousal in consumers, which is rather bad.

In almost all Western societies, child pornography laws impose harsher penalties on producers and distributors, often including imprisonment, with shorter sentences for non-commercial sexual distribution, depending on the scope and content of the material being distributed. Convictions for possessing child pornography often include imprisonment, but for first-time offenders, these sentences are often interpreted as probation.

Interpol lists Germany as one of the major producers of child pornography and designates the Netherlands and the UK as its main distribution centers. The United States is one of the largest demand markets for child pornography, but more attention has shifted to Southeast Asia in recent years. The growth of child pornography has been driven primarily by two factors. The advent and availability of home movies, videos, digital cameras, computers, and software have made child pornography relatively inexpensive to produce. The ease of production and distribution of this material has increased dramatically.

## **<sup>1</sup>CHILD PORNOGRAPHY AND CHILDS ONLINE PRIVACY**

### **CHILD PORNOGRAPHY**

Child pornography is a form of showing pornography to children and is illegal in many countries. Child pornography is usually created by taking pictures or videos of children who wear little clothes, don't wear clothes, have sex, or record little audio. Child pornography is also called "child sexual abuse picture" because it is a picture (picture) of a child who has been sexually abused. You can make child pornography by installing cameras or other recording equipment and bullying children.

The "Optional Protocol on Child Sales, Child Prostitution, and Child Pornography" describes the nature of child pornography as a description of actual or imitated sexual activity against a child or sexual activity against a child for sexual purposes.

Child pornography is evidence of child sexual abuse, and child pornography is always illegal against children.

### **LEGAL INSTRUMENT TO DEAL WITH THE OFFENCE OF CHILD PORNOGRAPHY**

The POCSO, or the "Protection of Children Against Sexual Offenses Act" (POCSO Act) 2012, was established to protect children from crimes such as sexual abuse, sexual harassment and pornography. It is structured to provide a child-friendly trial system that can punish

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<sup>1</sup> [www.justice.gov/criminal-ceos/child-pornography](http://www.justice.gov/criminal-ceos/child-pornography)

perpetrators. The law defines a child as a person under the age of 18. It also contains provisions that prevent re-sacrifice of children in the hands of the justice system. The Child Protection Act from 2012 Sex Offenses was approved by the President on June 19, 2012. It was announced in the Official Gazette of India on June 20 of the same year.

## **LEGAL PROVISIONS RELATED TO CHILD PORNOGRAPHY**

### **<sup>2</sup>INDIAN PROVISION**

India has different laws to protect and develop the country's descendants. Article 21 of the Constitution provides for the privilege of enjoying life and freedom, and Article 24 does not allow children under the age of 14 to work in mines, factories or engage in dangerous businesses. Article 39(f) requires the State to adjust measures to ensure the welfare and quality of children and to steadily increase these vacancies and positions. It is prescribed. Children under 6 years . There are also unusual laws that infringe on children, such as the Immoral Human Trafficking (Prevention) Act of 1986, the Child Marriage Restriction Act, the Child Labour (Prohibition and Control) Act of 1986, and the Juvenile Justice (Child Protection and Protection) Act, 2015.

The Indian Penal Code of 1860 and the Criminal Procedure Code of 1973 oversaw practical and procedural provisions for criminal offenses, including offenses that apply to children. Similar laws apply to adults and future generations in the United States as there are no unusual measures to monitor child abuse. The Sex Offenses Supervision Act includes Section 375 (Rape), Section 377 (Criminal Offense), Section 354 (Shocking Lady's Humility Act) of the Criminal Code. There are also crimes against underage girls, such as Section 372 (Young Women in Prostitution) and Section 373 (Young Women in Prostitution). In any case, these laws are not complete or satisfactory in dealing with serious crimes of vulnerable adult children. These measures are unilaterally for women and are inherently or insufficiently procedural to meet the special needs of child sexual abuse.

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<sup>2</sup> [www.usssc.gov](http://www.usssc.gov)

The Information Technology (IT) Act of 2000 now has enough regulations to deal with cybercrime. Section 67B of the Act specifically provides for serious penalties for posting, viewing or disseminating child pornography in electronic form.

Under Section 14 of the 2012 POCSO Act, any child or use of a child for pornography may be subject to all kinds of fixed sentences, up to five years in prison and fines. In addition, pursuant to Section 15, a person who stores pornography related to a child for commercial purposes in commercial form may be subject to a fixed imprisonment sentence or a fixed sentence of up to three years, or both.

### **<sup>3</sup>INTERNATIONAL ASPECTS OF CHILD PORNOGRAPHY**

Child pornography is a multi-jurisdiction issue and this method must be adopted worldwide. To effectively combat child pornography and child abuse worldwide, it must be consistently in place. The laws that fluctuate across countries can weaken the position against child sexual abuse and make predators realize they are most willing to abuse children. Massive efforts in the country. A comprehensive and unified approach is the best way to combat child sexual abuse, as it takes into account the consistency of criminal convictions and disciplines, raises open awareness of the matter, and expands administrative agencies that can support unfortunate casualties. And it has improved common law demand efforts nationally and globally. Agreeing that the global legal model is a fundamental development for child pornography, followed by national law enforcement and the creation of a national administrative plan to combat child sexual harassment.

According to international law, the first Convention on the Rights of the Child was the Convention on the Rights of the Child. The Convention sets guidelines for the rights of children and gives the term "child" the correct meaning. This is a comprehensive agreement covering all aspects of child rights. Article 2 of the Convention stipulates that no discrimination should be made with respect to race, language, sex, religion or other status when granting rights to children.

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<sup>3</sup> <https://www.ojp.gov>

<sup>4</sup>Article 19, paragraph 1 stipulates that all children must be protected from various types of physical and mental violence, especially sexual abuse, sexual abuse and sexual exploitation. This is the most important provision to end child sexual exploitation. Article 23 of the Convention deals with the rights of children with disabilities. In addition to the Convention on the Rights of the Child, the Declaration is used as a guide. The declaration deals with child protection. This is the Universal Declaration of Human Rights set out in article 25, paragraph 2 of the Declaration. Whether married or unmarried, children must receive the same protection. Likewise, the "International Covenant on Civil and Political Rights" also has Article 24(1), which provides that all children will be protected from discrimination on the basis of race, sex or colour. Required for the child's minor status, his family and society.

### **<sup>5</sup>PUNISHMENT FOR CHILD PORNOGRAPHY IN INDIA**

Section 293 of the Indian Penal Code of 1860 specifically criminalizes the sale, distribution, display, and distribution of pornography to persons under the age of 20. We consider this behaviour an identifiable crime.

The Information Technology Act of 2000 is the cornerstone of Indian cyber law. Although amended in 2008 to expand its scope, the Standing Committee and the Committee of Information Technology Experts (revised) legislation recommended the inclusion of specific articles to address the criminalization of child pornography. This recommendation is implemented in the form of inserting Section 67B of the Information Technology Act that criminalizes child pornography. The "first offender" is fined up to 5 years in prison and a fine of 1 million rupees, and the "subsequent offender" is fined 7 years and 1 million rupees in prison. Also, under the Information Technology Act, the storage and consumption of adult pornography is not criminalized, while the storage and consumption of child pornography is criminalized.

### **PREVENTIVE MEASURES AND SAFE GUARDS**

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<sup>4</sup> [www.icmec.org](http://www.icmec.org)

<sup>5</sup> <https://pib.gov.in>

<sup>6</sup>Adults who choose to watch adult porn have a duty to make sure that children do not have access to it. Lock your written material, clear your browser and use all possible technical resources. Children should not use adult pornography or other pornographic material at home.

If a product or advertisement included in a local business or national chain store promotes excessive sexual desire in children or underestimates the risk associated with child sexual abuse or exploitation, consider using a paper or online complaint card to document your concerns and post them. The name of an image product or ad so others can know and add their focus.

Parents can have a big positive impact by talking to their children. Like sexual education in general, the topic of pornography is not a big topic, but a series of discussions. These discussions can easily arise from accidental or deliberate exposure to songs, music videos, video games, content in movies, and pornographic photos.

Parents can clarify the values they expect to show to their families and help their children guide their actions by clarifying their values.

Parents and children talk about a variety of safety issues, from fires to cars to storms to drugs. You can also talk about the dangers of excessive sexual media and pornography. Unfortunately, there are many moments you can teach when listening to music, watching commercials, watching movies, watching TV shows, or watching video games.

Parents can admit that some children are under pressure to draw attention. Our culture conveys that sexual desire attracts attention. Children can see a lot of porn pictures of celebrities. They see such images being “liked” on social networking sites, and they may be under pressure to ask a colleague or stranger to post their images online. They generally believe that sharing these images is much more private or controllable than they really are.

Parents can help their children to bear the pressure to create a sexual image and consider the consequences of asking other youths for them. Discuss the betrayal of trust and legal consequences when creating items that could be classified as "child pornography".

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<sup>6</sup> 'Ibid'



Parents limit their exposure to harmful content and limit their children while learning how to make their own responsible choices, including engaging in active discussions to help children make decisions about what they post via social media or webcams. Can be set.

Parents can help their children open their eyes when viewing the media, so they can see lies and distinguish this novel from the joy of falling in love with an equal and respectful relationship.

Parents and other caring adults should generally be able to talk to children/teenagers about the effects of excessive media, especially pornography. They can help kids develop their media literacy to analyse what they see instead of simply using it without questions.



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