



NATIONAL CENTER ON SEXUAL EXPLOITATION

Brief Submitted to the Standing Committee on Health
Parliament of Canada Regarding M-47

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Personal Background

I am the president of the National Center on Sexual Exploitation (NCOSE), the leading American national organization exposing the links between all forms of sexual exploitation and addressing the public health crisis of pornography. NCOSE embraces a mission to defend human dignity and to advocate for the universal right of sexual justice, which is freedom from sexual exploitation, objectification, and violence. To this end, NCOSE operates on the cutting edge of policy activism to combat corporate and government policies that foster sexual exploitation, advance public education and empowerment, and foster united action by leading the international Coalition to End Sexual Exploitation.

NCOSE has produced policy improvements at a wide range of notable entities, including Google, Wal-Mart, the Department of Justice, Verizon, the Federal Communications Commission, and more.

I am also a former Chief of the Child Exploitation and Obscenity Section, Criminal Division at the U. S. Department of Justice from 1988 to 1993. While there, I supervised the prosecution of child sex crimes, child pornography, and obscenity. I managed an office of prosecutors and support staff, and worked with the nation's ninety-three United States Attorneys to initiate and coordinate federal prosecutions. During my 41 years as a lawyer, I litigated cases at all levels of the federal system, including in the United States Supreme Court.

Pervasive Use

The large-scale private use of hardcore pornography by millions of people has reached unprecedented proportions. Illustrating this point, one major Internet pornography portal reported that in 2016 it received 23 billion visits and that nearly 4.6 billion hours of pornography were consumed via its site alone.¹

Pornography consumption, especially when occurring on such an enormous scale, has public ramifications. The attitudes, beliefs, and behaviors shaped by pornography use can have profound impacts on users' lives. For instance, researchers report that increased pornography exposure "is associated with earlier and quicker onset of sexual activity, a higher likelihood of engaging in risky sexual behaviors such as anal sex, sex with multiple partners, and using drugs or alcohol during sex."²

The fact that children are encountering pornography at very early ages is cause for serious alarm. A study of university students found that 93% of boys and 61% of girls had seen Internet pornography during adolescence. The researchers reported that the degree of exposure to paraphilic and deviant sexual activity before age 18 was of "particular concern."³ Another sample has shown that among college males, nearly 49% first encountered pornography before age 13.⁴ Thus, pornography is serving as the primer by which young people are learning about human sexuality.

Pornography: A Form of Sexual Exploitation

From the outset it is important to establish that pornography is prostitution for mass consumption. The medium by which the prostitution is conveyed—photographs, magazines, books, videos, and the

Internet—allows for masses of individuals to derive sexual stimulation and gratification from the acts of prostitution they portray.

Importantly, many performers of pornography suffer physical, mental, and social risks that are severe, sometimes life threatening, and similar to those of individuals involved in street prostitution.⁵ As has been documented in research, performers engage “in high-risk sexual acts that are unprotected, substance abuse, and body enhancement. They are exposed to physical trauma on the film set . . . Adult performers, especially women, are exposed to health risks that accumulate over time and that are not limited to sexually transmitted diseases.”

Pornography Use: Links to Sexual Violence and Exploitation

While the public health harms of pornography are numerous, one of the most concerning is the role pornography plays in fueling other forms of sexual violence and exploitation such as child sexual abuse, domestic violence, sex trafficking, and prostitution.

- **Portrayal of Paraphilic Disorders and Extreme Sex:** Pornography exposure among college males is now almost universal.⁶ Boys and men are consuming hardcore pornography, which may include depictions of sex with persons who look like children, teens, scenarios portraying incest, and other paraphilic interests such as sex with animals (i.e. zoophilia), excretory activities (i.e. coprophilia/urophilia), and violence against women, including rape (i.e. biastophilia) and torture (i.e. algolania).⁷ Today “. . . mainstream commercial pornography has coalesced around a relatively homogenous script involving violence and female degradation.”⁸
- **Teaches Users that Women Enjoy Sexual Violence:** Analysis of the 50 most popular pornographic videos (those bought and rented most often) found that 88% of scenes contained physical violence, and 49% contained verbal aggression.⁹ Eighty-seven percent of aggressive acts were perpetrated against women, and 95% of their responses were either neutral or expressions of pleasure.¹⁰
- **Sexual Callousness:** Men who used pornography were more likely to agree with statements such as “A man should find them, fool them, f*** them, and forget them,” “A women does not mean ‘no’ unless she slaps you,” and “If they are old enough to bleed, they are old enough to butcher.”¹¹
- **Committing Sexual Offenses and Accepting Rape Myths:** A meta-analysis of 46 studies reported that the effects of exposure to pornographic material are “clear and consistent,” and that pornography use puts people at increased risk for committing sexual offenses and accepting rape myths.¹²
- **Increased Verbal and Physical Aggression:** A 2015 meta-analysis of 22 studies from seven countries found that internationally the consumption of pornography was significantly associated with increases in verbal and physical aggression, among males and females alike.¹³
- **Increased Female Sexual Victimization:** A study of 14- to 19-year-olds found that females who watched pornographic videos were at significantly greater likelihood of being victims of sexual harassment or sexual assault.¹⁴
- **Increased Likelihood of Selling and Buying Sex:** A Swedish study of 18-year-old males found that frequent users of pornography were significantly more likely to have sold and bought sex than other boys of the same age.¹⁵
- **Demand for Sexual Exploitation:** An analysis of 101 sex buyers, compared to 100 men who did not buy sex, found that sex buyers masturbate to pornography more often than non-sex buyers, masturbate to more types of pornography, and reported that their sexual preferences changed so that

they sought more sadomasochistic and anal sex.¹⁶ Other research also demonstrates an association between purchase of commercial sex acts and pornography use.¹⁷

- **Interconnectivity of Mainstream, Deviant, and Child Sexual Abuse Images:** A survey from a general population of Internet pornography users found that users of pornography depicting sexual abuse of children also consume both hardcore pornography (featuring ostensibly adult performers), as well as animal pornography. There were *no* consumers of child sexual abuse images who *only* collected child sexual abuse images.¹⁸

Similarly, a study examining 231 Swiss men charged in a 2002 case for possession of child sexual abuse images (i.e. child pornography), found that 60% percent also used pornography that depicted sexual acts with animals, excrement, or brutality; 33% consumed at least three or more types of deviant pornography. Researchers found that those convicted for possessing child sexual abuse images were more likely to subscribe to commercial websites containing legal (according to Swiss law) pornographic material (19% vs. 4%).¹⁹

- **Sending Sexually Explicit Images:** A survey of 4,564 adolescents aged 14–17 in five European countries, found that viewing Internet pornography is significantly associated with an increased probability of having sent sexual images and messages (sexting) among boys.²⁰
- **Increased Marital Rape:** Males who use pornography and go to strip clubs were found to engage in more sexual abuse, stalking, and marital rape than abusers who do not use pornography and go to strip clubs.²¹
- **Pornography as a Form of Sexual Exploitation:** “Pornography may meet the legal definition of trafficking to the extent that the pornographer recruits, entices, or obtains the people depicted in pornography for the purpose of photographing commercial sex acts.”²²

Potential Solutions

Educational System-Related Proposals

1. Develop and require K-12 curricula that teach media literacy, digital citizenship, as well as whole-person centered, holistic sexual education that incorporates a “porn critical analysis.”²³
2. Require and ensure that K-12 schools implement rigorous filtering standards that are regularly reassessed. Such filtering requirements should encompass cable and wireless connections, and be activated on devices, not just the school’s wifi, such as computers or tablets given to children by schools. Standards should also mandate that parents be informed of what measures are in place, and provide parents with information to ensure the devices distributed by schools are protected in the home, and to inform parents of dangers and potential solutions to monitor these issues at home²⁴
3. Review all K-12 online-library resource databases for possible “backdoor” access to pornography and sexually explicit material. Companies such as EBSCO Information Services, ProQuest, and Cengage provide such online-library database services. It has been discovered that these databases in Canadian schools are riddled with pornography and other graphic sexual material that is inappropriate for children and which is bypassing school filters.²⁵

Other Governmental Reforms and Initiatives

1. Conduct a thorough review of Canada’s existing laws restricting hardcore pornography to assess gaps. Develop new solutions addressing these gaps.

2. Institute default filtering of Internet pornography. This approach requires that Internet users wishing to view hardcore pornography online “opt-in” to access such sites, while other customers automatically receive their Internet free from sexually exploitive material. This approach has been implemented in the UK and preserves the right of individual to a porn-free life. Sky Broadband’s approach has been particularly successful.

3. Require that any provider of hardcore pornography implement robust age verification checks to “age gate” access to such material. This approach is applied to the sale of other products in the physical world such as alcohol, tobacco, etc and to many video gaming and gambling websites as well. Society also does not accept the unrestricted sale of sexually explicit material to children in the physical world, thus this principle should be applied to the sale of hardcore pornography via the Internet. For more on this approach see the UK’s Department for Culture Media and Sport report “Child Safety Online: Age Verification for Pornography Consultation Response.”²⁶

4. Adopt prohibitions for both DVD and video-on-demand pornography which includes depictions such as sexual activity involving real or apparent lack of consent (e.g., physical restraint, rape); infliction of pain whether real or simulated (e.g., spanking, caning, aggressive whipping, penetration by any object associated with violence, physical or verbal abuse, strangulation, fisting); material likely to encourage interest in sexually abusive activity (e.g., role-playing of adults as children or teens, role-playing of adults in incestuous relationships, cartoons depicting sex with children); as well depictions of bestiality, torture and/or death of animals.²⁷

5. Prohibit hardcore pornography within the workspaces other public areas, computers, storage devices, and officer’s clubs within all branches of the Canadian military. Institute regular search and removals of such materials.

6. Develop and require curricula for the all federal agencies including the military that teach media literacy, digital citizenship, as well as a porn critical analysis as part of the Canadian government’s approach to sexual harassment and assault prevention within federal workplaces.

7. Develop and institute guidelines for colleges, universities, as well as social work, medical, law enforcement, and other professional fields, that require training on media literacy, digital citizenship, and porn-critical analysis as part of their professional training requirements.

8. Require that all computers and wifi at public libraries filter out Internet pornography.

Funding

Provide funding for research on the harms of pornography such as:

- a nationally representative survey of pornography use among adolescents and adults;
- a meta-analysis of the neurological studies linking pornography use to compulsive behaviors;
- the association between adult pornography use and child sexual exploitation;
- the association between pornography consumption and sexual violence generally, and violence against women in particular;
- the association between pornography use and sex buying behaviors;
- pornography’s impacts on other sexual behaviors and attitudes among adolescents and adults;
- the impacts of pornography use on intimate relationships;²⁸
- the link to erectile and sexual dysfunctions;
- transmission of STDs; and,
- detrimental impacts on brain health; etc

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- ¹ Pornhub.com, "Pornhub's 2016 Year in Review," (January 4, 2017), <http://www.pornhub.com/insights/2016-year-in-review>
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- ³ Chiara Sabina, Janis Wolak, and David Finkelhor, "The Nature and Dynamics of Internet Pornography Exposure for Youth," *CyberPsychology & Behavior* 11, no. 6 (2008):691–693.
- ⁴ Sun, *ibid.*
- ⁵ Corita R. Grudzen, Gery Ryan, William Margold, Jacqueline Torres, and Lillian Gelberg, "Pathways to Health Risk Exposure in Adult Film Performers," *Journal of Urban Health: Bulletin of the New York Academy of Medicine* 86, no. 1 (2008): 67–78.
- ⁶ John D. Foubert, Matthew W. Brosi, and R. Sean Bannon, "Effects of Fraternity Men's Pornography Use on Bystander Intervention, Rape Myth Acceptance and Behavioral Intent to Commit Sexual Assault," *Sexual Addiction & Compulsivity: The Journal of Treatment & Prevention* 18, no. 4 (2011): 212–231.
- ⁷ Robert Peters, "How Adult Pornography Contributes to Sexual Exploitation of Children" (September 2009); Foubert, *ibid.*; Ana Bridges, Robert Wosnitzer, Erica Scharrer, Chyng Sun, and Rachael Liberman, "Aggression and Sexual Behavior in Best-Selling Pornography Videos: A Content Analysis Update," *Violence Against Women* 16, no. 10 (2010): 1065-1085; Gail Dines, *ibid.*
- ⁸ Sun, *ibid.*
- ⁹ Ana J. Bridges, Robert Wosnitzer, Erica Scharrer, Chyng Sun, and Rachael Liberman, "Aggression and Sexual Behavior in Best-Selling Pornography Videos: A Content Analysis Update," *Violence against Women* 16, no. 10 (2010): 1065–1085.
- ¹⁰ *Ibid.*
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- ²⁴ UK Council for Child Internet Safety, "Online Safety in Schools and Colleges: Questions from the Governing Board," https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/562876/Guidance_for_School_Governors_-_Question_list.pdf (accessed March 10, 2017)
- ²⁵ See National Center on Sexual Exploitation at <http://endsexualexploitation.org/ebsco/>.
- ²⁶ See https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/534965/20160705_AVConsultationResponseFINAL_2_.pdf
- ²⁷ See the United Kingdom's Communications Act of 2003 and Audiovisual Media Services Regulations 2014.
- ²⁸ See Paul J. Wright, Robert S. Tokunaga, Ashley Kraus, and Elyssa Klann, "Pornography Consumption and Satisfaction A Meta-Analysis" *Human Communication Research* (2017):1–29, for research recommendations in this topic area.