

LEGAL PROTECTION OF CHILD FROM SEXUAL ABUSE AND PORNOGRAPHY THROUGH SOCIAL MEDIA

Dr. Rampravesh R. Yadav, Dr. Aruna J. Singham

Asst. Prof. Roopa Kulkarni, Asst. Prof. Pratiksha Pawar

Bhavna Trust Degree College, Chembur, University of Mumbai

Abstract –

The accessibility of the internet has greatly increased the issue of child pornography. A report released by Interpol has recorded 2.4 million cases of child abuse during the pandemic 2022. It clearly shows that sexual abuse of children on the internet is widespread. Artificial intelligence has numerous applications these days. This has helped business organizations reach their clients and better serve them. In today's world, the accuracy of age prediction by artificial intelligence is only a few years different from the actual age. Artificial intelligence can also be used to detect obscene images of children. The current state of artificial intelligence in detecting pornographic images and the parameters used to determine age by analysing images are presented in this paper. It also tackles laws related to sexual abuse, child abuse and deepfakes.

Keyword- Child Pornography, social media, Technology, Deep fake, Internet.

Introduction

"Pornography" originates from the Greek word "-graph" which literally means writing about sex workers.

Nowadays pornography is defined as a clear and obscene (verbal or pictorial) content that focuses primarily on the sexual arousal of its audience.

The children of any country are considered to be the main determining factor in what the country will look like in the future. The circumstances under which a country's youth grow determines the direction of that country's development in the future. The effects of child abuse at a young age last a lifetime. In the age of internet, where every person has easy access to the internet, there has also been a huge increase in the cases of sexual abuse of children. The internet is playing an important role in the spread of child pornography and other content, including attacks and abuse of children. The rise of deepfakes is a major catalyst in the spread of child pornography. It's a type of media where multiple photos of a person are combined with video clips using specific artificial intelligence, creating a fake video that looks realistic.

This is a major problem that needs urgent attention. The current laws are not consistent with the seriousness of the problem. Laws need to be amended, which need to be included

Technology, to deal with crime that relies solely on technology. Artificial intelligence has grown tremendously over the decades and is still growing slowly every day. The scope of artificial intelligence varies from maintaining room temperature to describing the content of a picture to a visually impaired person. Artificial intelligence is a buzzword in giant companies (Google, Facebook, Microsoft), because in today's day and age, most of the tasks of these corporations are handled by artificial intelligence, only the most important tasks are reviewed by humans. It can be used to detect child pornography using biometrics, human interaction with a computer, and further age prediction technology based on a person's facial details. [3] It may be the most effective solution to the problem of sexual exploitation and exploitation of children on the Internet in the coming years. There are a handful of resources available on the Internet to protect children from engaging in the redlight area of the Internet.

II. Current Legal Frameworks

A. Legislation in India

Constitutional provisions: There are different laws in India that protect children from any abuse. The Constitution of India guarantees the right to life and liberty in its Article 21. According to Article 24 of the Constitution of India, children below the age of 14 years are prohibited from being employed in mines, plants or participating in any dangerous occupation/hazardous activity. According to Article 39(f) of the Constitution, the state has a duty for the welfare of children. Article 45 of the Constitution provides for proper care, teaching and training of children under 6 years of age.

Protection of Children from Sexual Offences (POCSO) Act 2012: The POCSO Act, 2012 was enacted to set up special courts to deal with sexual offences, protection of children from sexual misconduct and related offences. Article 15(3) empowers any state to make special provisions for the protection of children from sexual offences. India signed the Child Rights Treaty on 11-12-1992, so it is the duty of the state to abide by it.

Necessary measures to be taken to prevent this have been outlined in this session.

- 1) The child's forced participation in any sexual behaviour.
- 2) The illegal use of children for prostitution and any other sexual behaviour.
- 3) Exploitation of children for any indecent activity.

The law also aims to help the child overcome the judicial process by ensuring emotional, physical, social and privacy and privacy.

Information Technology Act 2000: There is no law directly related to the issue of child pornography in India. The inclusion of Section 67B in the Information Technology Act 2000 includes the depiction of a child in obscene acts or explicit behaviour etc. [4] The act not only makes it illegal to produce and share child pornography in any electronic form but also makes it illegal to browse child. Any obscene, obscene and obscene act of creating, sharing, storing, distributing, promoting, demanding, advertising any material depicting a child in e-form can be punishable with imprisonment up to five years and a fine of up to Rs 5 lakh. A second offence carries a jail term of up to 10 years and a fine of up to Rs 10 lakh. Section 67 of the Information Technology Act 2000 specifically mentions the provisions of pornography. The amendment includes Section 67B, which focuses on punishment for offences involving sexually explicit electronic or online content depicting children. An offence under Section 67B is a non-bailable offence under the new Information Technology Act.

	2019	2020
PCV	4	0
PCS	86	383
PAR	104	372
CON	2	0
CCS	58	272
CR	103	738

FIGURE 1 Show. The Chart Represent Number Of Child Pornography Cases in The Year 2018 And 2019, Case S Registered (CR) Cases Charged Sheeted (CCS), Cases Convicted (CON) , Person Arrested (PA) , Person Charge Sheeted (PCS), Person Convicted (PCV)

B. Legislation in United Kingdom

The law to protect children was passed in the UK 2003. In year, known as the Sexual Offences Act 2003. The law in the United Kingdom aims to protect and prevent children from sexual harassment. In the UK, having sex in front of a child is a punishable offence punishable by up to 10 years in prison, and forcing a child to watch such an act is also a crime. In addition, inciting and inciting pornography is also considered a crime. Sexual grooming is a term in UK law, which describes the act of travelling to meet or visit a child with the intention of encouraging a child to commit any punishable offence specified in the law, and such an offender shall be deemed guilty of sexual grooming.

C. Legislation in United state of America

In the United States Code, Section 2256 of Title 18 defines child pornography as portrayal

of any sexually explicit act involving a child under the age of 18. Under the federal law, any undeveloped tape, clip, computer generated image or electronic data stored, which can be turned into any form of child pornography are deemed to be illegal. Federal law applies to almost every offence committed with the use of internet regarding violation of child pornography.

Under section 2251, Title 18 of the United States Code, the first-time offender of production of child porn is punishable with fine and imprisonment of 15 years which may exceed up to 30 years whereas a first-time offender of transferring child pornography from outside the borders or inside is punishable with fine and imprisonment of 5 years which may exceed up to 20 years under section 2252, Title 18 of the United States code.

Section 2260, Title 18, applies to any person who resides outside the border of united states, produces, distributes any form of child Pornography with an objective to transmit it into the United States.

In addition, under United States Code, section 2251A of Title 18, prohibits selling and transferring of the custody of the child for the production of child pornography by any legal guardian, parent or any person having the legal custody of a child.

I. Emergence of Synthetic Child pornography:

Deepfake:

Deepfakes are videos and images that are morphed, in a way that the person in them basically seems to be doing something he didn't do. [6] The rise of computer-generated explicit images, also known as synthetic child pornography, saw a technological boom with devastating results after 2016

Deepfakes are especially annoying because they can be used to create new child pornography

Content from content that already exists. Theoretically, the creator of Deepfake could create more pornographic content of abused children or create content using pictures of children who have never been victims of sexual abuse. While deepfake technology applies one person's face to another person's body in a video, the creator of the deepfake content can take pictures of a minor from any online site-Instagram, for example—and use the child's face in a video showing another child's sexual abuse. Deepfake technology can also create completely fake and unreal person. Most of the deepfake videos contain sexual cruelty, making it unfit for general public.

Apps that use artificial intelligence are specifically designed to allow someone without a technical background to create fake pornographic videos or pictures.

The process is simple:

1. Download a particularly developed artificial intelligence program e.g. Fake App.
2. A computer with a graphic card.
3. Choose a video from the Internet.
4. Collect the number of images of the victim (photos in the video can also be taken)
5. Feed images to the app and execute the program.

Sweetie Avatar: Sweetie Avatar is an animated computer-generated/synthetic pornographic child designed to identify and capture online predators of child pornography, but this has led to an increase in the production of AI-generated. Sweetie technology is similar to deepfake, where deepfake depicts a real person, sweetie depicts a fake and unrealistic person.

We need and need an effective legal framework against those who create deepfakes to hold children accountable. The combination of evolving deepfake laws and existing laws related to child pornography will create a legal framework that criminalizes explicit deepfakes depicting children. The need for a strict legal framework that outlaws fake child pornography Requires some exceptions to the work within this legal framework. Such an exception would empower government agencies to use the same technology to fight the growing problem of child pornography on the Internet.

3. Discovery of child pornography:

Pornographic video contains a lot of information in the form of movement, sound, frame, frequent bending, and zooming in.

This information can be extracted and processed to find clear content. The erotic sounds in the video increase the accuracy of the results.

The system of detection can be divided into three stages:

- Segmentation phase takes the video as input and extracts the images that might have nude and explicit content.
- Detection phase detects the amount of nudity.
- The classification phase marks a video to be porn and non-porn based on the judgement criteria.

Software are available on the internets that are aiming to protect children from entering the red-light area of the internet.

Software like Net Nanny scans and filters the explicit content on a website and also blocks any such site.

4. Effective legal framework for law enforcement:

The most effective exception to the legal framework and measures to criminalize synthetic child pornography is the use of synthetic material for law enforcement in online sting operations.

Use of synthetic child pornography for law enforcement:

Government agencies, including the FBI, use it for operations to locate and remove any site or user that produces and spreads child pornography on the Internet.

The FBI's recent operation Pacifier in Reliance, which has removed Play Pen, the largest website for online child pornography, is a good example of this. The online sting operation Pacifier used "honeypot" to target and remove playpens.

Honeypot is a designated area in a computer system or network, especially built with the assumption that an attack will be carried out by a hacker or scammer. It was originally designed to catch scammers and hackers.

Honeypot is a site that focuses on child pornography, specifically designed to include child pornography, which is a set created by police to track the IP addresses of child pornography predators who visit or download images from the site. The honeypot aims to attract the offender and provide law enforcement officers with information about the offender who took the feed. Another strategy for an effective online sting is the computer-generated animated AI avatar girl, Sweetie. Sweetie is initially used by online predators on chat rooms and then on video calls to find out online predators trying to exploit a minor girl. Sweetie collects details of the exploitation and the information needed to identify the hunter and submits it to Interpol.

The examples mentioned above show that abuse technology in the wrong hands can be used to help stop online child pornography. The similarities between Deepfake and Sweetie are striking. Deepfake technology, including honeypots, can be used to hunt predators online. The use of purely synthetic and deepfake content in online sting operations will further improve law enforcement efforts.

conclusion

The availability of technologies such as the Internet and deepfakes has increased the production and transmission of child pornography. Synthetic child pornography has not yet contributed to the current crisis of child pornography. Deepfake child pornography has not yet reached its peak. Given the current weak legal framework and knowledge of deepfake technology, this is the best time to implement the use of emerging technologies within the legal framework. Laws criminalizing deepfakes for the purposes of child pornography should be enacted but with specific exceptions that allow law enforcement agencies to use the same technology to mitigate the current crisis of child pornography.

References:

1. S. R. T. Maheshwari S, "Psychosocial aspects of pornography. Journal of Psychosexual Health.", Journal of Psychosexual Health, vol. 1, no. 1, pp. 44-47, 2019.
2. Sharma and D. Gupta, "Prevalence of Online Child Pornography and Applicable Laws in India.", indianjournals.com, vol. 12, no. 2, pp. 133-148, 2022.
3. L. D. K. a. E. D. MacLeod, "A review of age estimation research to evaluate its inclusion in automated child pornography detection.", in Intelligent Computing: Proceedings of the 2020 Computing Conference, 2020.
4. G. B. J. a. C. C. Tsagaris, "The characteristics of federal offenders sentenced for sexual exploitation of children within a large urban metropolitan region.", Journal of sexual aggression, vol. 23, no. 2, pp. 181-194, 2017.
5. M. Westerlund, "The emergence of deepfake technology: A review," Technology innovation management review, vol. 9, no. 11, 2019.
6. N. a. T. R. Uke, "Detecting pornography on web to prevent child abuse—a computer vision approach," International Journal of Scientific and Engineering Research, vol. 3, no. 4, pp. 1-3, 2012.
7. "The Annual Report 2021," Internet Watch Foundation, 2021.
8. "data.gov.in," 08 07 2022. [Online]. Available: <https://rajyasabha.nic.in/Questions/QuestionNumberWiseSearch> . [Accessed 15 04 2025].