
CHILD PORNOGRAPHY AND THE INTERNET IN HONG KONG

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I. INTRODUCTION

The development of new technologies brings with it unprecedented positive development and advancement to society. One of the greatest technological contributions to society is the invention of the computer. Originally intended as a calculating machine, computer technology has expanded in scope and capabilities to transform information, sound, pictures, text and graphics into digital format. The digitization of information, sound, pictures, text and graphics has enabled substantial amounts of data, and the form of data, to be compressed and stored. The advent of the Internet as a global communication network and its file transferring capabilities add to this phenomenon. Modern society is presented with opportunities to not only communicate text by e-mail but also to scan photographs and to attach the scanned photographs with the e-mail. Once a picture is scanned into a computer, digital graphics software such as Microsoft PhotoEditor allows us to merge, edit or enhance images digitally by what is more commonly known as “morphing.” Individuals are able to communicate almost instantly in “real time” with Internet relay chats such as MSN messenger, and, with the installation of web cameras, one can even see the person with whom one is communicating. Such modern methods of communication and transmitting data are not restricted to computers. It is becoming commonplace for mobile telephones to have the capability to photograph or to record an event and to have the photograph taken sent and for the event to be played back. These new technologies are constantly developing and they will continue to revolutionize and change our lives.

New technologies are also revolutionizing the way in which crimes are being committed. The Internet, for example, is seen as a high tech means to facilitate the commission of traditional crimes. It is common for traditional crimes, such as illegal gambling, money laundering, stalking, sale of illegal substances and drugs to be conducted in cyberspace. With the Internet, these crimes can be committed inexpensively, speedily and without detection. In child pornography, home video equipment and advance computer technology has been used to exploit and abuse children by assisting pedophiles in the production and distribution of child pornographic materials. Although child pornographic material still exists in traditional forms, such as videotapes and printed material, it is common knowledge that the Internet is playing a major role in promoting child pornography. By using the Internet, pedophiles get instant gratification in the comfort of their homes. The Internet's file transferring capabilities provide the pedophilic community easier access to child pornographic materials. As compared to waiting for pornographic materials to arrive in the mail or meeting fellow pedophiles in secret, images can be downloaded almost instantly, reproduced, enhanced and further distributed without any loss of quality. This capability increases the possibility of the pedophiles' contact with children, child molesters, child abusers and other pedophiles. It has been suggested that the most commonly used technique for seducing children into sexual activity is by capitalizing on the child's natural need for attention, affection and approval.¹ This has seen a small but rising number of these computer relationships ending up with actual contact and sexual activity with children.² Pedophiles may use child pornographic images to break down their own fears or inhibitions thereby allowing them to commit child sexual abuse.

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1. Margaret Healy, *Child Pornography: An International Perspective*, World Congress Against the Commercial Sexual Exploitation of Children (Aug. 27-31, 1996), http://www.usemb.se/children/csec/child_pornography.html (on file with the Rutgers Computer and Technology Law Journal).

2. *Id.*