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Investigating Young People's Perspectives on Pornography and its Legal Regulation

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Investigating Young People's Perspectives on Pornography and its Legal Regulation

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Abstract

This thesis investigates young people's perspectives on pornography and its legal regulation. Having identified lacunas in the existing literature and empirical research base, this thesis considers three main areas: how young people define pornography; the range of pornography viewed by young people, and; young people's perspectives on the legal regulation of pornography. In-depth interviews were conducted with eighteen young people aged 18-25 in England and Scotland, with a novel research method – Spectral Elicitation – developed and incorporated into the empirical research design.

The research found that young people's definitions of pornography largely echo those in existing literature and legislation, and found that by establishing definitions with participants contextual unity between the thematic focus and the empirical findings of the research can be ensured. Young people had viewed a wide range of pornographic materials, with the research finding that unsolicited contacts were often regarded as a *necessary evil* of viewing pornography. Within this, significant proportions of young people had viewed materials of a violent or 'extreme' nature. With legal regulation, the research found that: young people generally thought more materials *are* and *should be* criminalised than currently are under the *CJIA 2008* and the *CJL(S)A 2010*, with minimal support for possession offences; young people generally did not look to legislation to establish ethical precedents when negotiating access to materials, and; animated materials, depictions of rape, and perceptions of sexual consent within pornography are significant areas requiring further consideration. This research revealed that there is greater scope for qualitative research in the academic study of pornography, including utilising innovative and ethically-sound elicitation methods when investigating complex and potentially sensitive issues. This thesis recommends further empirical research on the range of materials viewed by young people and their perspectives on these materials, utilising mixed methods incorporating both large-scale surveys and further in-depth studies.

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List of Abbreviations

<u>LEGISLATION AND POLICY TERMS</u>

CJIA 2008   *Criminal Justice and Immigration Act 2008*

CJL(S)A 2010   *Criminal Justice and Licensing (Scotland) Act 2010*

OPA   *Obscene Publications Acts 1959* and *1964*

REA   Rapid Evidence Assessment

<u>RESEARCH TERMS</u>

INT   Interviewer / Researcher

IQ   Interview Question

RQ   Research Question

<u>THEMATIC TERMS</u>

BDSM   Bondage and Discipline, Dominance and Submission, Sadism and
                     Masochism

CG   Computer-Generated

Statement of Copyright

The copyright of this thesis rests with the author. No quotation from it should be published without the author's prior written consent and information derived from it should be acknowledged.

Introduction

This thesis is about young people's perspectives on pornography and its legal regulation in England and Scotland[1]. Pornography has been the focus of revived debate in recent years in academic and cultural contexts, while legislators have moved to criminalise the possession of 'extreme' pornography[2] – manifest in the *CJIA 2008* and *CJL(S)A 2010*[3]. However, the perspectives of young people in these contexts are rarely attuned to nor researched in-depth.

Existing research firmly establishes young people as a significant demographic in the academic study of pornography (see Flood 2009; Horvarth *et al* 2013a*;* Knudsen *et al* 2007; Livingstone and Bober 2005). The existing research base has, however, predominantly provided statistical overviews within impact-oriented or causal frameworks and hypotheses (see Aisbett 2001; Kaiser Family Foundation 2007; Mitchell *et al* 2007), with limited investigation of *what* materials young people are viewing and *how* young people access and define pornographic materials. Moreover, in-depth qualitative research with young people on pornography in this area is scarce – and scarcer still in a UK context. This thesis therefore aimed to investigate young people's perspectives on pornography in-depth, in order to address these lacunas in the existing literature base. The aims of this thesis are corroborated by the Rapid Evidence Assessment on young people and pornography published in 2013 (Horvath *et al* 2013a). Indeed, the REA recommends that future research in this area investigate in-depth the range of materials viewed by and available to young people, the

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[1] While the *CJIA 2008* and *CJL(S)A 2010* provisions cover both England and Wales and Scotland respectively, the empirical research informing this thesis was conducted in England and Scotland. For this reason, the empirical research findings discussed in this thesis pertain to England and Scotland, while thematic discussions of the *CJIA 2008* provisions pertain to both England and Wales and discussions of the *CJL(S)A 2010* to Scotland. This will be highlighted where appropriate throughout this thesis. Moreover, while the *CJIA 2008* was adopted in Northern Ireland, the Northern Irish obscenity provisions differ to those in England and Wales, and so discussions of the 'extreme' pornography provisions within the *CJIA 2008* in this thesis do not include Northern Ireland.

[2] Within the two legislative Acts, the remit of what constitutes 'extreme' pornography currently differs. While the Scottish provisions (*CJL(S)A 2010*) include images of rape and other non-consensual sexual activity, the provisions in England and Wales (*CJIA 2008*) did not include images of rape at the time of conducting the fieldwork for this thesis. It has since been announced that the provisions in England and Wales will be amended to include images of rape (see McGlynn and Rackley 2014; Woodhouse 2014) and the revised Act is therefore currently going through Parliamentary processes with a view to amending the provisions.

[3] See List of Abbreviations.

circumstances surrounding young people's access to pornography, and how young people define pornography (*Ibid*: 43).

In conjunction with investigating these experiential elements of young people's perspectives on pornography, this thesis investigates young people's perspectives on the legal regulation of pornography in light of the *CJIA 2008* and *CJL(S)A 2010* – legislation which criminalises the possession of 'extreme' pornography in England and Wales, and Scotland respectively. With the introduction of these legislative Acts came criticisms, too, and the 'extreme' pornography legislation has arguably generated more questions in this area than it has addressed, particularly pertaining to animated materials, depictions of rape and sexual violence, and whether legislation has the capacity to set ethical precedents for the types of pornographic materials young people choose to access. Considering this, the research informing this thesis investigates young people's perspectives on the legal regulation of pornography in conjunction with the range of materials viewed by young people.

Thesis Structure

Chapter 1 of this thesis presents a review of the existing literature pertaining to defining pornography, the limitations of existing research on young people and pornography and the current legal regulatory framework for pornographic materials in England, Wales and Scotland. Chapter 2 outlines the methodology and methods for the empirical research, beginning with the Research Questions and continuing to outline both the development of the empirical research design and the empirical research in practice.

This thesis then offers three Chapters presenting the findings from the empirical research with young people on the topic of pornography, each Chapter responding to one of the three Research Questions. Chapter 3 presents the findings from Research Question 1 – How do young people define pornography? – pertaining to how young people define pornography, pornographic mediums, and the self-reported factors influencing young people's definitions, in order to ground and contextualise the two further findings Chapters that follow. Chapter 4 presents the findings from Research Question 2 – What is the range of pornography viewed by young people? – discussing young people's interactions with pornography and the range of pornographic content viewed by young people, and their perspectives on these

interactions and materials. Chapter 5 presents the findings from Research Question 3 – What are young people's perspectives on the legal regulation of pornography? – and investigates what materials young people think are *currently* criminalised and what materials they think *should* be criminalised, followed by a discussion of findings pertaining to specific elements of the current legislative framework for pornography in England, Wales and Scotland.

The thesis concludes with Chapter 6, which draws together the findings from the empirical research. This Chapter outlines the main thematic and methodological findings from the empirical research, and then discusses how this research adds to existing knowledge in this area. This Chapter concludes with recommendations for future research and consideration in the areas of young people, pornography and its legal regulation.

CHAPTER 1

Literature Review

This Chapter presents a review of the existing literature pertaining to young people, pornography and its legal regulation. As interdisciplinarity has been central to this thesis from its inception, the review of the existing literature focuses on pornography in empirical research and legal contexts, with focus (where applicable) on the intersections between these contexts and young people.

Section 1.1 of this Chapter investigates the definitions of pornography present in legal contexts and the current literature base, and outlines the importance of establishing young people's definitions of pornography when conducting empirical research in this area. Section 1.2 discusses the existing research and reports pertaining to young people and pornography and the lacunas in knowledge within the existing literature base. Finally, Section 1.3 discusses the current regulatory framework for pornographic materials in England, Wales and Scotland, outlining the *Obscene Publications Acts* (*OPA*) in England and Wales, and the 'extreme' pornography provisions in the *Criminal Justice and Immigration Act 2008* (*CJIA 2008*) and the *Criminal Justice and Licensing (Scotland) Act 2010* (*CJL(S)A 2010*), and the criticisms of these Acts. Drawing these strands together, Section 1.4 summarises these discussions and firmly establishes the lacunas identified in the existing literature throughout this Chapter as areas requiring further research, investigation and consideration.

1.1 Defining Pornography

This Section outlines the various definitions of pornography within existing legislation and literature. The purpose of this Section of the review is not to develop a unique definition of pornography, but to foreground this thesis by investigating exactly *what* we may be talking about when we are talking about pornography. This is important because existing empirical research into young people and pornography has not generally sought to establish *how* young people define pornography as part of the empirical research aims or outcomes. While the

existing empirical research literature investigates the means and impacts of young people's exposure to pornographic materials, this research does not investigate and generate a definitional framework *with* the young people to establish exactly *what* constitutes the pornographic materials – in the view of the participating young people – investigated by the research.

Although the two categories of legislation and academic literature are not mutually exclusive, this review of the literature firstly presents the definitions of pornography present in current UK legislation – particularly the *CJIA 2008*, *CJL(S)A 2010* and the *OPA* – alongside brief commentary on non-UK frameworks developed for the purpose of civil claims. This review then discusses the existing literature pertaining to the hesitancies and difficulties in defining pornography, progressing onto explore the definitions of pornography offered by the existing literature base. This Section concludes with discussion of the lacunas in existing empirical research pertaining to investigating definitions of pornography *with* research participants when conducting empirical research with young people on pornography.

1.1.1 Legal Definitions

Current legislation in England, Wales and Scotland offers definitions of pornographic materials in the context of 'extreme' pornographic materials – manifest in the *CJIA 2008* and the *CJL(S)A 2010* – and 'obscene' materials manifest in the *OPA*. In addition to these definitions in the current UK regulatory context, definitions developed for the purpose of civil claims are noteworthy for their novel approach – specifically the Civil Rights Ordinances proposed by MacKinnon and Dworkin in the US[4].

Legal definitions are generally articulated within four main frameworks – intent-based, impact-based, content-based and paradigm-based definitions. The *CJIA 2008* and *CJL(S)A 2010* offer intent-based definitions of pornography, while the classifications of 'extreme' pornography within these Acts are framed by the content of the proscribed materials. The *OPA*, meanwhile, offers an impact-based definition of pornography, with the definition of 'obscene' materials being based on the propensity for the materials to impact upon those

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[4] Although the MacKinnon and Dworkin definition and approach was not within the UK regulatory framework, there were attempts to deploy this approach in the UK (see Itzin 1993).

exposed to the materials. Although not within the remit of the UK regulatory framework, the Civil Rights Ordinances proposed by MacKinnon and Dworkin (1998) are significant when analysing legal definitions, as pornography is defined within the ordinances through the paradigmatic framework of pornography as inherently depicting the subordination of women.

In terms of intent-based legal definitions, S.63.3 of the *CJIA 2008* (discussed further in Chapter 1.3.2) criminalising the possession of 'extreme' pornographic materials in England and Wales outlines that in order for a material to be considered 'pornographic' it must be 'of such a nature that it must reasonably be assumed to have been produced solely or principally for the purpose of sexual arousal'[5]. In addition to this, the legislation discusses the mediating factor of contextual narrative, with S.63.4 stating:

> 'Where (as found in the person's possession) an image forms part of a series of images, the question whether the image is of such a nature as is mentioned in subsection (3) is to be determined by reference to –
>
> the image itself, and
>
> (if the series of images is such as to be capable of providing a context for the image) the context in which it occurs in the series of images.
>
> So, for example, where –
>
> an image forms an integral part of a narrative constituted by a series of images, and
>
> having regard to those images as a whole, they are not of such a nature that they must reasonably be assumed to have been produced solely or principally for the purpose of sexual arousal, the image may, by virtue of being part of that narrative, be found not to be pornographic, even though it might have been found to be pornographic if taken by itself.'

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[5] A definition supported, too, in US legal contexts: 'Material predominantly sexually explicit and intended for purposes of sexual arousal' (Attorney General's Commission on Pornography 1986: 228-229).

As described above, the *CJIA 2008* denotes that if a material is part of a series of images and the entire series of images are not reasonably assumed to be produced solely or principally for the purpose of sexual arousal then the material is not considered to be pornographic. However, it is important to note that this stipulation applies only, as stated above, if such as *series* of images is found in a person's possession. Therefore, if an image is extracted from a series of images (for example, a film) yet the only image in the possession of the person is the extracted image, this image may be regarded as being pornographic. This suggests that it is not only the intent behind the production of an image that constitutes it as being pornographic but also the intent by which a person is in possession of that image, in addition to the context in which the image is possessed.

Similarly to the *CJIA 2008,* S42.2.3 of the *CJL(S)A 2010* stipulates that '[an] image is pornographic if it is of such a nature that it must reasonably be assumed to have been made solely or principally for the purpose of sexual arousal'. In a similar vein to S.63.4 of the *CJIA 2008* as discussed above, Sections 42.2.4 and 42.2.5 of the *CJL(S)A 2010* also demonstrates how narrative context is central to determining whether a material can be regarded as pornographic:

> Where (as found in the person's possession) an image forms part of a series of images, the question of whether the image is pornographic is to be determined by reference to –

>> the image itself, and

>> where the series of images is such as to be capable of providing a context for the image, its context within the series of images, and reference may also be had to any sounds accompanying the image or the series of images.

> So, for example, where –

>> an image forms an integral part of a narrative constituted by a series of images, and

>> having regard to those images as a whole, they are not of such a nature that they must reasonably be assumed to have been made solely or principally for

the purpose of sexual arousal, the image may, by virtue of being part of that narrative, be found not to be pornographic (even if it may have been found to be pornographic where taken by itself).'

As above, the *CJL(S)A 2010* suggests that an image is pornographic if, within the context of its whole, it can be reasonably assumed to have been both produced and obtained for the sole or principal purpose of sexual arousal.

These two pieces of legislation – the *CJIA 2008* and the *CJL(S)A 2010* – are the first instances in British legislation regarding adult pornographic or sexually explicit materials that have used the term 'pornographic' and, more importantly, the first instances where what constitutes a 'pornographic' material is legally defined. The precursor to these laws – the *Obscene Publications Acts* for England and Wales[6] – make no reference to pornography or pornographic materials, despite the fact that it is these materials that (at least in part) the *OPA* refers to. Indeed, S.66.1 of the *Obscene Publication Act 1959* (*OPA 1959*) does not use the terms 'pornography' or 'pornographic', instead using a 'test of obscenity' to determine whether a material can be regarded as 'obscene', stating:

> 'For the purposes of this Act an article shall be deemed to be obscene if its effect or (where the article comprises two or more distinct items) the effect of any one of its items is, if taken as a whole, such as to tend to deprave and corrupt persons who are likely, having regard to all relevant circumstances, to read, see or hear the matter contained or embodied in it.'

As the *OPA 1959* defines 'obscene' materials as those that 'tend to deprave and corrupt' those exposed to the materials, the definition of what constitutes an 'obscene' material is impact-based rather than the intent-based definitions of the *CJIA 2008* and *CJL(S)A 2010* discussed above.

In addition to intent-based and impact-based legal definitions of pornography, the Civil Rights Ordinances proposed in the United States during the 1990s present a paradigm-based definition of pornography. In 1992, a group of Massachusetts citizens petitioned for

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[6] 'Obscene' materials are legally regulated in Scotland by the *Civic Government (Scotland) Act 1982*.

legislation to protect the civil rights of women and children from pornography and sex discrimination, as based on the Model Antipornography Civil Rights Ordinance, co-authored by MacKinnon and Dworkin (1988). These Ordinances, according to McGlynn and Ward (2009: 331), 'intended to create a civil claim for damages against producers and distributors of pornography', which is of course distinct from the criminal law focus of the British legislation. In the proposed Ordinance, pornography was defined as 'the graphic sexually explicit subordination of women through pictures or words, or other data retrieval systems' (MacKinnon and Dworkin 1998), the paradigm here being an anti-pornography feminism that views and defines pornography as being synonymous with patriarchy and the subordination of women. Subordination is defined by McGlynn and Ward (2009: 333) as 'the claim that pornography enshrines a particular, degraded image of women; it portrays them in a peculiarly sexualised way, and in doing so denies their humanity'. Within this, the Ordinances also defined 'the use of men, children and transsexuals in the place of women' (MacKinnon and Dworkin 1988: 134) as pornographic. In the context of the Ordinances, subordination was the paradigmatic framework through which pornography was defined.

Content-based definitions also factor into *CJIA 2008* and the *CJL(S)A 2010* and into the proposed Civil Rights Ordinances discussed above. These content-based definitions function *alongside* the main definition of pornography contained in the legislation or ordinance. In the context of the *CJIA 2008* and *CJL(S)A 2010*, such content-based definitions pertain to what constitutes an 'extreme' pornographic material and the legislation sets out both definitions of 'pornographic' and 'extreme'. The term 'extreme' functions as a descriptor for a set of sexual acts that it is a criminal offence to possess depictions of, as stipulated in the legislation (see Section 1.3.2 of this Chapter for full discussion of 'extreme' pornographic materials).

Likewise, in addition to the paradigm-based definition of pornography discussed previously, the proposed Civil Rights Ordinances present content-based definitions of pornography, describing materials worthy of bringing a civil claim as '[presenting] women's body parts including, but not limited to, vaginas, breasts or buttocks such that women are reduced to such parts' (MacKinnon and Dworkin 1998: 36), including presenting women

a) 'As dehumanised sexual objects, things or commodities;
b) As sexual objects who enjoy humiliation or pain;

c) As sexual objects experiencing sexual pleasure in rape, incest or other sexual assault;

d) As sexual objects tied up or cut up or mutilated, bruised, or physically hurt;

e) In postures or positions of sexual submission, servility, or display;

f) Being penetrated by objects or animals;

g) In scenarios of degradation, humiliation, injury, torture, shown as filthy or inferior, bleeding, bruised or hurt in a context that makes these conditions sexual.' (*Ibid*)

As is evident in the above stipulations in the Ordinance, in addition to the (anti-pornography feminist) paradigmatic definition of pornography, content-based definitions factor into whether a material is considered pornographic within the paradigm of pornography as inherently depicting the subordination of women – which was not without its own controversies, as some scholars believed such paradigmatic definitions to deny women their agency (see Segal 1992).

1.1.2 Definitions in the Literature

According to Radford (2007: 5), 'there is a lack of any accepted definition of pornography in law or popular discourse', while Andrews (2012) states that 'pornography, that relentless fountain of cultural artefacts, has never been solidly defined'. There are a number of definitions of pornography in the existing literature base, which also generally fall into the four categories discussed previously in the context of legal definitions – intent-based, impact-based, paradigm-based and content-based definitions, or a combination of these factors. Scholars have also described definitions of pornography as being aligned to three broad paradigmatic frameworks – liberal, feminist, and moral-conservative (see Brown 1990; McNair 1996; McGlynn and Rackley 2009; McGlynn and Ward 2009) – which in turn inform the definitions, often framed by a view to prompting or reflecting a particular effect, whether that be legal, political, social, cultural or commercial. Definitions of pornography can vary equally upon the intention of the viewer or consumer, the distributor, the producer, and those formulating and articulating the definitions.

At the dawn of the 1970s and 80s 'porn-wars', prior to the overwhelming influx of new pornographies (in terms of content, availability, and the increasing means by which to access materials), Jarrett (1970: 61) wrote of the difficulty faced in defining pornography: 'When, as

has been very common in our society in recent decades, the question is asked, "Is this story (poem, novel, film - or even painting) pornographic?" we may immediately distinguish between liberal or permissive answers and those that are conservative or restrictive'. Indeed, traditional definitions of pornography are often situated within wider ideals, or moralistic viewpoints, which can be abridged into three main categories or 'fundamentalisms' (McGlynn and Ward 2009: 328): Liberalism, feminism, and moralistic (often religious) conservatism. Of course, within the factions, there is certainly variance between the ideological viewpoints and arguments that inform their definitions of pornography, alongside similarities between certain elements or certain factions (such as the apparent parallel between radical feminist and moral-conservative views on pornography). It may be for these reasons that the discrepancies in definitional attempts are seen to be purely rhetorical – a mere war of words – yet, the foundations from which these definitions are born reflect wider frameworks, of which pornography is just a facet.

In *Getting Off: Pornography and the End of Masculinity*, Jensen (2007: 52; see also Jensen 1998) discusses the 'definitional dodge' often used to 'avoid confronting the core issues that pornography raises'. Jensen (*ibid*) typifies this 'dodge' as a combination of factors, including:

- 'It's all a matter of taste.
- What is pornography to some is erotica to others.
- What is degrading to some is liberating to others.
- There's no way to talk about sexually explicit material that doesn't eventually collapse into subjective judgements.
- We cannot define the term with precision, so therefore we cannot say much of anything about pornography.' (*Ibid*)

Jensen (*Ibid)* argues that 'this retreat behind the definitional dodge is either a cynical attempt by pro-pornography forces to cut off critique before it can be voiced, or a fear-driven response by people who are unsure that they want to go where an honest confrontation with pornography will take us'. MacKinnon echoes Jensen's argument, discussing the contradiction in that pornography is often regarded as simultaneously separate from other forms of media content and as a ubiquitous, indefinable category of content:

'…the pornography industry and mass media have long since operated in separate spheres defined by content. In the name of taste, values or division of labour, legitimate cinema, books and media have traditionally eschewed or coyly skirted the sexually explicit. The 'adult' movie industry, cable television and 'men's entertainment' magazines have frontally specialised in it. The mutually clear line, quite precisely and effortlessly observed in practice, coexists with the common cant that pornography cannot be identified from anything else.' (MacKinnon, 2011: 9)

MacKinnon's above statement articulates the contradictions of defining pornography, which is at once regarded as a distinct, separate and discrete category and a form of representation that is impossible to effectively define.

This difficulty – and, indeed, hesitance – in defining pornography may also adhere to a notion that despite pornography being a human product, through what Jensen (2007: 52) describes as 'definitional dodges' pornography is apprehended as being something other than a human product – as an inevitable fact and facet of human nature, experience and culture. In the context of postmodern theory, Berger and Luckmann (1995: 36) articulate this phenomena as the 'reification of social reality', explaining:

'Reification is the apprehension of human phenomena as if they were things, that is, in non-human or possibly suprahuman terms. Another way of saying this is that reification is the apprehension of the products of humanity *as if* they were something else than human products – such as facts of nature, results of cosmic laws, or manifestations of divine will. Reification implies that man is capable of forgetting his own authorship of the human world, and further, that the dialectic between man, the producers, and his products is lost to consciousness. The reified world is, by definition, a dehumanised world. It is experienced by man as a strange facticity, an *opus alienum* over which he has no control rather than as the *opus proprium* of his own productive activity.' (Berger and Luckmann 1995: 36-37)

If we are to consider the perceived difficulties in defining pornography in the context of Berger and Luckmann's propositions, we can re-examine MacKinnon and Jensen's criticisms of the apparent collective hesitance to define pornography.

Firstly, when considering MacKinnon's (2011: 9) statement that '[the] mutually clear line, quite precisely and effortlessly observed in practice, coexists with the common cant that pornography cannot be identified from anything else' in the context of the reification of human reality, the supposedly 'clear line' between pornography and other forms of media – coupled with the commonly espoused notion that 'pornography cannot be identified from anything else' – suggests that 'the dialectic between man, the producers and his products is lost to consciousness' (Berger and Luckmann 1995: 36-37). Again adhering to Jensen's (2007: 52) notion of the 'definitional dodge', the common assertion that pornography is simultaneously ubiquitous and absent represents an elimination of the dialectic between humans and human products.

Secondly, when considering Jensen's (2007: 52) assertions that the 'retreat behind the definitional dodge' is due, in part, 'a fear-driven response by people who are unsure that they want to go where an honest confrontation with pornography will take us', we can again consider reification. Indeed, Berger and Luckmann (1995: 37) describe the reified world as 'a dehumanised world' wherein human phenomena are experienced by humans as 'a strange facticity, an *opus alienum* over which he has no control rather than as the *opus proprium* of his own productive activity'. Likewise, Sender (2003: 331) discusses how such '"commonsense" beliefs become naturalised, taken for granted as "the way things are" […] thereby [obscuring] their own ideological foundations'.

Considering these concepts, the hesitancy to define pornography allows for distancing between the pornography itself and the producers, distributors and consumers of pornography, who, in the view of Jensen (2007: 53), 'are unsure that they want to go where an honest confrontation with pornography will take [them]'. In this view, treating pornography as a phenomenon outwith human action and control negates the need to confront, assess and investigate pornography – both in terms of defining the materials and in terms of addressing and conducting empirical research on the content of pornographic materials viewed by young people. This process of 'distancing' between the product – pornography – and the resulting 'dispersal' of responsibility among consumers is also evident in the conditions of people's consumption of pornography (see Whisnant 2010), and creates conditions that nurture denial. Due to this, it is essential to honestly investigate – and, indeed,

interrogate – both how to define pornography and the content of pornographic materials viewed by young people.

Despite such 'definitional dodges' and hesitance to define pornography, many scholars have offered definitions of pornography, often to foreground and contextualise the substantive arguments of their work. Similarly to the *CJIA 2008* and *CJL(S)A 2010* discussed previously, Malamuth (2001) defines pornography as 'sexually explicit media that are primarily intended to sexually arouse the audience'. McNair (1996: 45) builds upon this by examining the category or label of pornography as being comprised of three constituent defining factors of content, intent and impact or 'effect', stating: 'the label 'pornography' signifies: a) a particular *content* with b) an *intention* to produce c) a particular kind of *effect*'. Jensen (2007: 53) meanwhile argues that 'we let the market define the category', stating:

> 'Pornography is the material sold in pornography shops and on pornography websites, for the purpose of producing sexual arousal for the mostly male consumers... let's start with what the culture uses as a working definition – the graphic sexually explicit material sold for the purpose of arousing and satisfying sexual desire.' (Jensen 2007: 53)

As with the definitions of pornography in the *CJIA 2008* and *CJL(S)A 2010*, these definitions stipulate that intent to sexually arouse those viewing the materials is a significant defining factor – with intent and impact or effect being foregrounded.

Jensen (2007: 53) also makes reference to 'graphic sexually explicit material' above as defining factor, which indicates that content is also significant when defining pornography. Likewise, Peter and Valkenburg (2007: 383) present an exclusively content-based definition of pornography, stating that pornography is the depiction of 'genitals and sexual activities in unconcealed ways'. Alongside intent, impact and content, in the existing literature base pornography is also defined by context. Barron and Kimmel (2000: 162) define pornography in terms of how and where it is distributed and accessed, defining pornography as 'any sexually explicit materials to which access was limited, either by signs or physical structure, to adults'.

In more recent work, Jensen (2011: 27) states that pornography is 'often distinguished from erotica, with pornography being used to describe material that presents sex in the context of hierarchical relationships'. From here, a 'pornographic relationship' can be construed as that which practices hierarchical relationship dynamics. The 'pornographic product' of such a relationship, therefore, would be a falsified final product which lacks transparency of process and power. The pornographic practice and product can, in this way, be linked to wider matrixes of marketing, capitalism, and capital exchange.

Increasingly, scholars have drawn distinctions between categories of pornography and have utilised content-based definitions to foreground their substantive arguments (see Dines 2010). These definitional categories correspond to the differences within the content of pornography – this content being storyline or plot-based pornography versus 'gonzo' and 'wall-to-wall' genres (see Jensen 2007: 55-57). Defined as being 'formulaic' (*Ibid*: 57) and 'simply recorded sex' (*Ibid*: 55), 'gonzo' and 'wall-to-wall' materials are increasingly the *types* of materials discussed by scholars as a result of these genres being increasingly produced, distributed and consumed (see Tyler 2010: 57-58).

A major lacuna – both thematic and methodological – in the existing empirical research on young people and pornography pertains to definitions. As Knudsen *et al* (2007: 9) state:

> '[There] is concern and public debate about […] the implications and consequences of young people's increasing experiences and use of pornography. However, very seldom is it made clear in this debate what is meant by pornography'.

Indeed, existing empirical research seldom defines pornography for the young people participating in the research nor does it gather data on how young people define pornography in order to contextualise the empirical research findings. While some research publications foreground their study or hypothesis with a definition of pornography or discussions about definitions (such as in Knudsen *et al*'s (2007) research on youth, gender and pornography), there is little evidence in the existing research to suggest that these definitions were generated by the young people participating in the research. As Livingstone (2003: 156) states, 'matters are further confused' in the research area of young people and pornography because 'little attention has been paid to the definition of pornography' – an observation

corroborated by the 2013 Rapid Evidence Assessment on young people and pornography and its recommendations for further empirical research in this area (Horvath *et al* 2013a, discussed in Chapter 1.2.2).

Zero Tolerance's (2014, discussed further in Section 1.2.2) report on young people, sexualised media and pornography in Scotland was foregrounded by investigating definitions, and found that there was a large variance in how young people defined pornography. Within the study, young people's definitions were investigated through pre-programmed multiple-choice questions in the surveys completed by young people, and the definitions offered to participants were largely content-based. Moreover, these definitional investigations were not carried through to the qualitative research context (conducted through focus groups), which potentially destabilises the findings when considering *only* pornography through failing to establish unified findings across the data that pertain only to pornography, rather than to the milieu of sexualised media. While conducting necessary investigations, this lacuna reveals that it is imperative to discuss definitions with young people when conducting empirical research on pornography, in order to establish a unified definitional reference point across the data to provide differentiated and clear findings that pertain *only* to pornography.

Without foregrounding empirical research on pornography with consideration of and investigation into definitions, '[porn] remains an abstract 'thing' without meaning or context' (Attwood 2011: 14). Livingstone (2003: 156) argues that this lack of investigation into young people's definitions is especially pertinent as existing empirical research is 'failing to distinguish between images which are upsetting, censored from television or illegal', which is of particular importance given the recent changes to the legal landscape constituting the possession of 'extreme' pornographic materials as a criminal offence (as discussed further in Chapter 1.3). By examining the definitions of pornography within the current legislation and existing literature base, it becomes increasingly apparent that definitions are variable in their framing. As demonstrated by this Section, defining pornography for a purpose – whether the purpose be legislation, academic text, or empirical research – provides a contextual framework through which subsequent discussion of pornography in that context can be grounded. It is therefore imperative to investigate *how* young people define pornography when conducting empirical research with young people *about* pornography, in order to contextualise the empirical research findings *on* pornography.

1.2 Pornography and Young People

This Section outlines the existing literature pertaining to young people and pornography, discussing the existing empirical research literature and policy reports in this area. While there exists a vast body of empirical research on young people and pornography, the majority of this research provides statistical overviews of impact-based findings in this area and there is little existing research investigating young people's perspectives on pornography in-depth – especially in the UK. Beginning with Section 1.2.1, this Section therefore presents an overview of the existing empirical research findings on young people and pornography, and discusses the trends and lacunas in the existing empirical research base. Section 1.2.2 then discusses existing policy discourse in this area, which firmly establishes young people and pornography as a significant area requiring further investigation and in-depth empirical research.

The demographic of young people has increasingly become a major consideration within the thematic and theoretical body of literature on pornography. As Reist and Bray (2011a: xiii) observe, 'we live in a world that is increasingly shaped by pornography' and young people 'are growing up in the shadow cast by [it]' (*Ibid*: xvi). Indeed, 'porn' was among the top-five terms googled by young people aged below 18 (Campbell 2010, cited in Hamilton 2011: 16). As Hamilton (*Ibid*) states, '[the] explosion of new technologies gives young people access to the best and worst of online content,' constituting the 'belief that pornography inhabits its own physical and mental world [as an] illusion' (MacKinnon 2011: 9). This burgeoning dialogue within the canon of feminist critiques of pornography – alongside a number of policy-related reports published in recent years (discussed in Section 1.2.2) – further serve to firmly establish the area of young people and pornography as that which requires in-depth empirical research. While small-scale in-depth research does not lend itself to providing solid recommendations for policy formation or legislative reform, conducting novel and exploratory research with younger consumers of pornography serves to draw out areas of particular policy and legal import for future research and consideration.

1.2.1 Overview of Existing Empirical Research

This Section provides an overview of the existing empirical research on pornography and young people, and discusses the predominant ways in which research in this area has been envisioned and enacted – namely, the capacities of pornography to impact upon young people's behaviour and attitudes pertaining to sex and sexuality – and the subsequent lack of knowledge on the *range* and *types* of pornographic content young people are viewing, and their perspectives on these materials. Indeed, as pornographic materials can encompass a vast array of depictions, the focus on the 'causative role' (McNair 1996: 60) of pornography in much of the existing research investigating general adult pornography consumers and young people overlooks both the specific materials young people are viewing and the perspectives of young people that inform the existing statistical knowledge base on young people and pornography.

The focus of academic study of pornography consumers to date – particularly in empirical research – has predominantly centred on the potential impacts of exposure to pornography. Within this, there has traditionally been an empirical research focus on the capacities of viewing pornography to incite an individual to enact sexual or sexualised violence (such as Zillman 1989; Zillman and Bryant 1989). This is referred to in the literature as a 'cause-effect paradigm' (McNair 1996: 60) and has historically been the focus of both empirical research on pornography and in anti-pornography feminist critiques of pornography (such as Dworkin 1979; MacKinnon 1984; Russell 1998), which have 'focused on the relationship between men's consumption of pornography and subsequent likelihood of violence against women' (Boyle 2000: 187). The causal model that has shaped much of the existing empirical research on consumers of pornography seeks to establish whether viewing materials has to capacity to cause or increase the likelihood of certain behaviours, such as perpetrating sexual or sexualised violence, the replication of sexual behaviours as depicted in pornography, or the elicitation of negative feelings or emotional harm. Indeed, 'most academic research into the consumers of pornography has been interested to find out whether the consumption of pornography has unconscious effects on tendencies towards asocial behaviour […] and tendencies towards aggressive behaviour towards women' (McKee 2005: 71). According to McNair (1996: 60) 'the cause-effect paradigm has been dominant in this debate, and has

structured the greatest proportion of empirical research undertaken on the subject'. Boyle (2000) supports this assertion and points towards the difficulty in establishing a direct cause-effect paradigm, stating:

> 'Concerns about media 'effects'—and about the effects of violent and pornographic media in particular—have led to a massive research industry which has attracted considerable quantities of both funding and publicity over some 60 years. Yet […] the results of this vast body of empirical work are both inconclusive and hotly contested.' (Boyle 2000: 187)

McNair (1996: 60) characterises the debates and ensuing empirical research as centring on this 'causative role' of pornography, focusing predominantly on: 'its negative effects on individual behaviours and group values; [and] its capacity to stimulate antisocial responses in those exposed to it'. Investigating these two impacts are reflected widely in the research aims of much of the existing empirical research literature on pornography, and it is these two potential impact-based roles of pornography in particular – the capacity for viewing pornography to cause or contribute to negative behaviours and values and the capacity for viewing pornography to stimulate or encourage the perpetration of sexual violence – that are the mainstay of the causal arguments surrounding the viewing of pornography. With empirical research on young people, these two impact-based roles feature often too and are joined by a third direction for investigation – the capacities for exposure to pornography to elicit negative feelings or emotional harm.

In terms of framing and for the purpose of clarity, it must be noted here that while historically anti-pornography feminist critiques have utilised the results of experimental research to substantiate and corroborate their effects- and harm-based arguments, this is in part due to wider traditions that dictate *how* 'real' knowledge is generated and *what* constitutes this 'real' knowledge. As with the development and introduction of the 'extreme' pornography legislation in England and Wales (see McGlynn and Rackley 2009; also, Section 1.3.2), strange bedfellows have been made of conservative pro-censorship voices and anti-pornography feminist voices in the context of these effects-based debates (see Boyle 2000). As Boyle states (2000: 188), '[the] problems with positivistic media effects should be immediately obvious to feminists' – in that experimental scientific enquiry is positioned as being more *true* and

reliable than feminist critiques of pornography that position pornographic media within wider matrixes of gender-based violence, structural oppression and 'cultural harms' (McGlynn and Rackley 2009): This Cartesian dualism dictates that *proof* can only be attained through employing positivist and rationalist scientific methodologies and hypotheses – an attitude that pervaded, too, during the consultation and development of the *CJIA 2008* 'extreme' pornography provisions. While feminist critiques of pornography have rightly rejected this particular impetus to measure and quantify in recent years, much of the empirical research on pornography – and particularly empirical research on consumers of pornography – has remained framed within positivistic methodologies and quantitative studies seeking either to substantiate claims of effects of exposure through (often simplistic) causal models or to measure specific effects in large scales.

Indeed, most of the research investigating consumers of pornography has been quantitative, and there are generally 'three main traditions of academic research into pornography's consumers: sex offender studies, aggregate studies, and laboratory experiments' (McKee 2005: 71). Research investigating pornography consumers' perspectives in-depth is a rarity in the academic study of pornography, and rarer still in the context of studying young people who are – or have been – consumers of pornography. The predominant way in which research is conducted with young people on the topic of pornography is large-scale quantitative surveys generating statistical overviews and the focus of these enquiries is predominantly framed within the causal paradigm and conducted with an aim to investigate media effects.

This focus on the causal relationship between pornography and its potential impacts or effects is the aim of enquiry in much of the existing empirical research that specifically investigates young people. The impacts of exposure to pornography – especially exposures framed as being 'premature' and 'inadvertent' – among children and young people is a burgeoning area of empirical research inquiry particularly in the United States, as Livingstone (2003: 162) explains:

> 'Broadly speaking, North American research – constituting the majority of empirical studies – is particularly strong on quantitative research, conducting rather few qualitative projects. Such research has strengths in producing reliable and

representative data to identify statistical frequencies, difference and patterns of use, but it rarely explores a topic theoretically or in depth.'

This existing knowledge base – largely generated through large-scale quantitative enquiry and experimental studies – has provided overviews on the impacts and harms of inadvertent exposure and the effects of exposure to pornography upon young people's attitudes to sex, their sexual behaviour, and their wellbeing. These studies have predominantly been conducted in North America (Aisbett 2001; Check 1995; Greenfield 2004; Kaiser Family Foundation 2007; Mitchell *et al* 2007) and across Scandinavia (Forsberg 2001; Knudsen *et al* 2007; Kolbeins 2006; Rogala and Tydén 2003; Sørensen and Kjørholt 2006; Wallmyr and Welin 2006), with research of this nature also having been conducted in Taiwan/the Republic of China (Lo and Wei 2005) and Australia (Flood 2007).

The main empirical research literature on young people and pornography specifically in the UK is within Livingstone and Bober's (2005) study of children and young people's activities online. The research was conducted in three stages and utilised both quantitative and qualitative methods, with face-to-face surveys being delivered across the UK and focus groups being conducted with over 1,500 young people aged 9 – 19 and their parents. The research aimed to investigate several aspects of young people's use of the internet, including young people's encounters with 'undesirable forms of content and contact' (*Ibid*: 6) such as pornography. Within this, the research aimed to investigate the 'incidence of upsetting, worrying or intrusive experiences online', the 'risky practices' that children and young people engage in online, and the successfulness of 'parents' and others' attempts at improving online safety' in order to identify 'areas of risk that require further [policy] initiatives' (*Ibid*). Livingstone and Bober's (2005) research found that more than half of young people aged 9-18 had seen pornography online, and most pornography was viewed unintentionally. Results were varied in terms of whether the young people were 'bothered' or upset by seeing pornography online, yet forty five per cent of the 18-19 year old participants felt that they were 'too young to have seen [pornography] when they first did' (*Ibid*: 4). While this research provides overviews of young people's access to pornography and responses to the materials, it does not provide in-depth insights into the actual *range* and *types* of materials accessed by young people and their perspectives on these materials.

Moreover, Livingstone and Bober's (2005) research also found that eighty per cent of the young people aged 18-19 had viewed pornography online, and a quarter of this age group had purposefully viewed pornographic materials online – a figure that may have been impacted by much of the empirical research having been conducted with young people in the presence of their parents (surveys) and their peers (focus groups), rather than conducting in-depth interviews with young people on a one-to-one basis. In terms of legal regulation, the research found that eighty-five per cent of parents 'want to see tougher laws on online pornography' (*Ibid*: 4), however the research did not investigate young people's perspectives on the legal regulation of pornographic materials. Livingstone and Bober's (2005) research recommended further investigation into how young people respond to exposure to different levels or kinds of content, which highlights the imperative importance within the research agenda for investigating the types and range of pornographic content accessed by young people and young people's perspectives on these materials.

Studies outside of the UK have been conducted on the impacts of inadvertent exposure to pornographic materials, accessed online (Aisbett 2001; Kaiser Family Foundation 2007, Mitchell *et al* 2007; Thornburgh and Lin 2002) and through peer-to-peer file-sharing networks (Greenfield 2004). Flood's (2009) review of the existing literature on the impacts of exposure to pornography upon young people concludes that the existing research on young people and pornography demonstrates that pornography has the capacity to cause 'a range of notable and often troubling effects'. Mitchell *et al*'s (2007) US study on the impacts of premature or inadvertent exposure found that ten per cent of young people surveyed described themselves as very or extremely upset by unwanted exposure to pornography (Mitchell *et al* 2007). Likewise, Aisbett's (2001) study conducted in Australia found that 53 per cent of young people had viewed materials on the Internet that they reported as being 'offensive' or 'disgusting', with the young people expressing that they felt 'sick', 'embarrassed', 'repulsed', 'shocked' and 'upset' by the content of the materials they had encountered. Flood (2009: 389) reports, 'a consistent minority [of young people] do experience distress' when inadvertently exposed to pornographic content.

Existing empirical research has also investigated the impacts of pornography upon young people's attitudes and sexual behaviour – predominantly in Scandinavian countries (Häggström-Nordin *et al* 2006; Johansson and Hamarén 2007; Löfgren-Mårtenson and

Månsson 2009; Rogala and Tydén 2003; Wallmyr and Welin 2006). For example, Rogala and Tydén (2003) delivered questionnaires to 1,000 young women visiting a family planning clinic in Sweden to investigate sexual behaviour and pornography. The research found that 'four out of five had consumed pornography, and one-third of these believed that pornography had impacted their sexual behaviour'. Likewise, in Flood's (2009) review of the existing empirical research on the harms of exposure to pornography among young people, Flood states:

> 'Exposure to pornography helps to sustain young people's adherence to sexist and unhealthy notions of sex and relationships. And, especially among boys and young men who are frequent consumers of pornography, including of more violent materials, consumption intensifies attitudes supportive of sexual coercion and increases their likelihood of perpetrating assault.' (Flood 2009: 384)

Alongside the existing research investigating whether viewing pornography has the capacity to increase the likelihood of perpetration (such as Bonino *et al* 2006; Check 1995), the existing empirical research base also provides statistical overviews into the circumstances of young people's use of pornography and sources of information about sex. Wallmyr and Welin (2006) delivered questionnaires to 876 young people aged 15-25 attending a youth centre in Sweden to investigate young people's use of pornography. The research found that most had viewed pornographic materials, with 'the male participants [reporting] that the most common reason they viewed pornography was to get aroused and to masturbate, whereas the female participants stated that they viewed pornography out of curiosity' (*Ibid*: 290). Wallmyr and Welin (*Ibid*) found that 'the most frequent source of information about sexuality was peers. These results illustrate the importance of sex education to give factual information about sexuality and to counteract the messages about sexuality presented in pornography'. Flood (2009: 384) echoed these conclusions whilst reviewing the existing research base, stating that 'pornography is a poor, and indeed dangerous, sex educator'. Qualitative research, too, has been conducted in Scandinavian countries on young people's perceptions of and attitudes towards pornography and its impacts (Häggström-Nordin *et al* 2006; Johansson and Hamarén 2007; Löfgren-Mårtenson and Månsson 2009).

However, the existing empirical research in the area of young people and pornography has not generally attuned to nor investigated the actual *range* of materials and *types* of content young people are viewing, and thus what exactly it is about these materials that are eliciting the trends and statistics reflected in the existing empirical research findings. There is a significant lacuna in the existing research with regard to the materials viewed by young people and it is therefore imperative to investigate in-depth the range of pornographic materials viewed – and, indeed, purposefully not viewed – by young people and young people's perspectives on these specific materials, and to investigate young people's experiences of the circumstances and contexts within which they have accessed these materials.

In-depth research has been conducted in the UK on children and young people's production and distribution of self-produced sexually explicit materials (Ringrose *et al* 2012) – often referred to in the literature as 'sexting' (Ringrose *et al* 2012), which refers to the exchange of sexual messages or images (Livingstone *et al* 2010) and the creating, sharing and forwarding of sexually suggestive nude or nearly nude images (Lenhart 2009, cited in Ringrose *et al* 2012) – which provides insights both into *how* to conduct research with young people and *where* pornography is situated within the 'sexting' practices of young people in the UK. Prepared for the NSPCC, Ringrose *et al*'s (2012) research conducted focus groups with and individual case-studies of young people aged 11-16 attending London schools, in order to investigate young people's views on and experiences of the phenomena of 'sexting'. This qualitative study of children, young people and 'sexting' identified that much of the research in this area had too been quantitative (see Livingstone *et al* 2010; Phippen 2009), and firmly established qualitative enquiry as a means to gain deeper understandings of the technologically-mediated phenomena of young people and sexually explicit materials:

> 'Quantitative research alone cannot offer in-depth understandings about the nature or complexity of technologically mediated sexual expression or activity via mobile or online media.' (*Ibid*: 6)

By foregrounding the views and experiences of young people and designing the research 'with an open mind [...] as to whether 'sexting' is a coherent phenomenon that constitutes 'a problem' for which policy intervention is required' (*Ibid*), the research is unusual for both its qualitative approach and for the research having been predominantly designed outwith

causal- or impact-based hypotheses. Methodologically, the research demonstrated that through conducting in-depth qualitative research with young people, rich and nuanced data on young people's views on and experiences of the producing and sharing of sexually explicit materials was gathered. Thematically, the research found that the 'phenomenon understood as sexting includes far greater diversity of practices that usually understood', including 'the accessing and recirculating of pornography' on mobile devices – such as 'peer-produced or professionally-produced pornography including animated images', and the sending of sexually explicit messages and images over the phone or internet (*Ibid*: 25), concluding that:

> 'the production, consumption and distribution of sexual communications is becoming an increasingly taken-for-granted – yet problematic – feature of the social and cultural landscapes they inhabit.' (*Ibid*)

This research therefore highlights the importance of conducting in-depth qualitative research on young people and sexually explicit media, and that there is a greater diversity of practices than reflected in previous quantitative studies, such as the accessing and recirculation of both peer- and professionally-produced pornography on mobile devices among young people. Ringrose *et al*'s (2012) findings illustrate the importance of including the production, access and recirculation of both peer- and professionally-produced pornographic or sexually explicit materials – and differentiating between these materials – when conducting research on young people and pornography.

There is a general lack of in-depth research conducted with consumers of pornography, and less still with young people. Although previous research has investigated pornography consumers' perspectives on pornography (Loftus 2002; McKee 2005; McKee, Albury and Lumby 2008; Smith 2002), utilising interviews to explore consumer's views on pornography and, in the case of McKee (2005), also consumers' views on regulation and censorship in-depth, there is certainly not a wealth of previous research in this area – especially that which pertains to young people. Buzzell's (2005) demographic analysis of online pornography consumers did, however, indicate that pornography consumers are predominantly adult males, young people, and those resident in urban environments. Smith (2002) conducted interviews with 16 women consumers of the British pornographic magazine *For Women*, while Loftus' (2002) publication *Watching Sex* interviewed over 140 male consumers of

pornography. Meanwhile, Banyard's (2010) discussions of pornography in the *Equality Illusion* were informed by interviews conducted with women. Yet, while foregrounding the perspectives of those interviewed, many of these publications exploring consumers' perspectives on pornography were not conducted using rigorous research methods and design, and as a result, as McKee (2005) argues, these types of studies have generally 'not followed strict social science protocols' necessary for conducting research in this area.

McKee's (2005) research identified this lack of in-depth research with consumers of pornography and aimed to explore Australian pornography consumers' 'own practice of consumption of the genre, and its effects on them', and their views on contemporary Australian regulation and censorship. McKee (*Ibid*) designed the research in response to the identified 'focus on quantitative methods', explaining:

> 'In academic research […] consumers of pornography are most commonly constructed as subjects in the sense of being subjected to experiments and rarely presented as subjects in the sense of being thinking agents who could offer an insight into the reasons for consuming pornography and its effects.' (*Ibid*: 71)

A central aim of the research was therefore to conduct in-depth research with adult pornography consumers. The research also aimed to respond to contemporary debates in Australian media, academe, and law pertaining to: 'the effect of viewing pornography on consumers; distinctions between good and bad pornography; the question of pornography addiction; the issue of whether pornography destroys relationships; and the issue of censorship' (*Ibid*: 78). McKee's (2005) research was conducted in two stages – with stage 1 collecting data from surveys completed by 1,023 consumers of pornography and stage 2 conducting 'follow-up' interviews with a random sample of 50 people aged 18 to 66+ (with most participants being aged 26 – 45). While still partially adhering to an effect-based approach to empirical pornography research, utilising only basic interview questions and techniques, and courting criticism of its approach to presenting its findings (see Boyle 2010a), McKee's (2005) research succeeded in highlighting the lack of in-depth research in this area:

> 'Listening to the voices of consumers gives us quite a different perspective from experimental academic research […] This can only improve our understanding of the

genre, and provide valuable information for the ongoing public debates that seek to understand the place of pornography in our society, and its effects on those who consume it.' (McKee 2005: 93)

Including the voices of pornography consumers within the academic study of pornography is significant for both the 'ongoing public debates' (McKee 2005; see also McKee 2009) and ongoing legal debates pertaining to regulation and criminalisation of consumers (as discussed in Chapter 1.3). As Livingstone (2003: 159) argues, in order to 'counter the technologically determinist assumption that the internet is external to […] society' research in this area 'must go beyond access [by] contextualising internet use within everyday life research', thus grounding and contextualising consumers' experiences of pornography within ongoing societal and legal debates.

Fareen Parvez's (2006) small-scale in-depth empirical research investigating how perceptions of the labour of pornography impacts upon women viewer's enjoyment of pornography is significant here, having also identified that previous empirical research has generally 'failed to elucidate the complexity' of pornography consumers' experience (*Ibid*: 605). Parvez (2006) found that women's perceptions of the pleasure of those depicted in the materials was a major mediating factor in their own enjoyment of the materials. While focusing on adult women aged 18 – 40, this research serves to demonstrate the value of in-depth empirical research with consumers of pornography in drawing out rich and nuanced data on the dynamics of pornography consumption, consumption practices, and consumers' perspectives on the materials they view.

In addition, further large-scale research reports investigating adult consumers' perspectives have been published, such as *The Porn Report* (McKee, Albury and Lumby 2008) in Australia – a continuation of McKee's (2005) research discussed above. Meanwhile, in the UK context, large-scale quantitative audience research was conducted with adult consumers of pornography, with the preliminary findings providing an overview of UK adults' motivations for viewing pornography (Smith, Attwood and Barker 2015). These studies, too, serve to highlight the significance of consumer and audience studies as an emerging area within the academic study of pornography.

Of the publications that have conducted in-depth investigations specifically on young people and pornography, these are often framed within what Boyle (2000) describes as 'concerns about media 'effects'', with Buckingham and Bragg's (2004) research publication exploring children and young people's responses to sex in the media. Buckingham and Bragg (2004) conducted in-depth interviews with children and young people (aged 9-17) and their parents, investigating the role of the media (including pornography) in educating children and young people about sex, seeking to centralise the voices of children, young people and their parents within contemporary debates on media effects in the UK.

Meanwhile, large-scale research was conducted across Scandinavia – with specific focus on young people, sexualisation and pornography – by Knudsen et al (2007), which investigated young people's views on sexualisation, sexual media and pornography. The research was conducted with young people aged 14 to 18 and utilised large-scale online surveys, interviews and focus groups, and media case studies on Finnish, Scandinavian-wide and global television channels and websites frequented by young people. The research aimed to '[gain] insights into the extent of 'pornofication', its media basis and the situations in which it appears, with special focus on Nordic teenagers' experiences with and attitudes towards pornography; [analyse] young people's views of the images and ideals of gender and gender relations depicted in pornography, and their feelings towards these images and ideals, and; [study] how the increased exposure to pornography relates to the teenagers' own perceptions of gender, and their ideas, experiences and views with regard to sexuality' (Knudson et al 2007: 12). Knudsen et al's study was comprehensive and far-reaching, employing a number of methods to build up a picture of young people's views on and experiences of pornography and sexualisation across a number of Scandinavian countries, with the findings from the research being published by the Nordic Council of Ministers in 2006. Yet, there lacked continuity between the specific Research Questions investigated through the large-scale and in-depth research conducted with young people.

No such in-depth academic research has yet been undertaken with young people in the UK – research that investigates in-depth the range and types of pornographic content viewed by young people that does *not* seek to address the debates pertaining to media effects. While, as Attwood (2011: 13; see also Attwood 2002) states, there may be a 'paradigm shift' away from causal and effects-based research on pornography – with the 'role of pornographies as

cultural spaces of fantasy and their place in everyday life [becoming] a subject for examination' – much of this more recent work focuses on theoretical deconstructions and reconstructions of the intersections of pornography with gender, sexuality and sex work, with minimal focus on conducting in-depth empirical research in this area. It is clear from the existing literature that although the mainstay of research on young people and pornography has been effects-based in its hypotheses and aims and has been conducted using quantitative enquiry, there is both scope for and an impetus towards conducting in-depth research with young people on pornographic content – this impetus further hastened by the publication of governmental policy documents pertaining to young people and pornography in the UK.

1.2.2 Young People, Pornography and Policy Reports

This Section provides an overview of the reports and reviews commissioned by the UK government in recent years pertaining entirely or partially to young people and pornography. Two main reports have been published since 2010: *"Basically… porn is everywhere": A Rapid Evidence Assessment on the Effect that Access and Exposure to Pornography has on Children and Young People* (Horvath *et al* 2013a) and the *Sexualisation of Young People Review* (Papadopoulos 2010). The latter publication focuses mainly on the sexualisation of children and young people, while the most recent publication – the REA (Horvath *et al* 2013) – specifically assesses the existing research on young people and pornography, and provides solid recommendations for future research in this area that the research aims of this thesis directly respond to. In addition to these reports, this Section also outlines the *"He's the stud and she's the slut": Young people's attitudes to pornography, sex and relationships* report published by Zero Tolerance (2014).

In 2010, the Home Office published the *Sexualisation of Young People Review*, an independent review conducted by Dr Linda Papadopoulos with a particular focus on sexualisation of women and girls. The report defines sexualisation as the 'imposition of adult sexuality onto children and young people' (Papadopoulos 2010: 23), with the term 'sexualisation' being used to describe 'a number of trends in the production and consumption of contemporary culture' (*Ibid*: 24). The report was issued in response to a perceived 'sexualisation' of culture, with 'the most obvious manifestation [being] the dissemination of sexualised visual imagery' (Papadopoulos 2010: 23). This notion of the sexualisation of culture coincides with notions

that culture is becoming increasingly 'pornified' (Paul 2005), with pornographic depictions and tropes entering mainstream cultural depictions with increasing regularity.

The report presents existing findings based on empirical research data (alongside evidence from professionals and clinicians) on sexualisation – of which pornography is presented as a facet. The report discusses the impact-based existing literature pertaining to sexualisation, the mainstreaming of pornography and the sex industry, the links between sexualised images or pornography and perpetrating violence, and sexual aggression within mainstream pornographic depictions. While the review discussed existing research on pornography and young people, the review did not offer recommendations for future research in this specific area. Likewise, building upon Papadopoulos' (2010) review, *Letting Children be Children: Report of an Independent Review of the Commercialisation and Sexualisation of Childhood* (Bailey 2011) collected evidence from previous reviews and scoping exercises and conducted interviews with parents on the sexualisation of children specifically and, within this, the impacts associated with accessing pornography. Both the Papadopoulos (2010) and Bailey (2011) publications highlight the emerging cultural phenomena of 'sexualisation' as a policy concern and, within this, began to place young people and pornography onto the policy agenda.[7]

In 2014, Zero Tolerance – a Scottish gender-based violence organisation – published a report investigating the impacts of sexualised media and pornography upon young people's behaviour and attitudes (Zero Tolerance 2014). The report aimed to 'find out to what extent young people in Scotland consider it 'normal' for people in their age group to access and/or be exposed to pornography and sexualised media' (*Ibid*: 6). The organisation conducted surveys with 237 young people aged 14-19, and six focus groups with 40 young people (thirty-one aged 14-19 and nine aged 20-24) comprised of pre-existing youth groups. The report investigated 'what the participants thought were normal or common attitudes and behaviours among their peers', and therefore 'did not ask about the participants' own

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[7] Several published critiques have been waged towards these reviews by academics specialising in the fields of sex, sexuality and media (see Attwood and Smith 2011; Barker and Duschinsky 2012; Duschinsky 2012). Within these critiques, Atwood and Smith (2011) assert that the conceptualisation of 'healthy sexuality' in the Papadopoulos review assumes normative attitudes towards sex and sexuality, while Barker and Duschinsky (2012) argue that the Bailey review promotes gendered stereotyping and 'conservative standards of decency' (*Ibid*: 303).

behaviour and experiences but about how common a particular behaviour or attitude was in their peer group' (*Ibid*: 5).

The Zero Tolerance (2014) report found that young people were routinely exposed to pornographic and sexualised media and that their attitudes to pornography 'varied widely' (*Ibid*: 9). While instigating necessary dialogues, the Zero Tolerance (2014) report pertained to young people's views on their *peers'* behaviours and attitudes towards sexualised media and pornography. The report therefore did not investigate young people's *own* experiences and perspectives in-depth, nor did the report investigate the range of materials viewed or encountered by young people – instead, positioning pornography within the wider milieu of sexualised media. Conducted through surveys and focus groups, these empirical research methods are often not conducive to in-depth research on complex and potentially sensitive issues. Moreover, as discussed in Section 1.1.2, there was a substantial range in the definitions selected in the surveys by young people and as a result the report lacked differentiation between pornography – and, within this, different *types* of pornographic content – and sexualised media.

In 2013, a Rapid Evidence Assessment (REA) was conducted by Horvath *et al* (2013) and published by the Office of the Children's Commissioner, which specifically investigated the existing research literature on the impact of access and exposure to pornography on children and young people. Much like the reports issued by Papadopoulos (2010) and Bailey (2011), the REA presents a review of the existing literature and empirical research findings, yet in this instance with specific focus on young people and pornography. The REA reached a number of conclusions as a result of the review and a number of areas of interest for future research were discussed throughout.

One such area of interest for future research highlighted by the REA pertains to the age of young people and their access to and consumption of pornography. The REA found that exposure and access to pornography appear to increase with age, and that there is a greater 'risk' of exposure with increasing age (*Ibid*: 23), with the 'mechanisms or duration of change to attitude or behaviour still needing to be considered' in future research (*Ibid*: 9). These findings are drawn from a number of research studies (see Brown and L'Engle 2009; Hasebrink *et al* 2009; Johansson and Hammarén 2007; Livingstone *et al* 2010, all cited in Horvath *et al*

2013a: 23). It is clear when reviewing the previous empirical research (discussed throughout Section 1.2.1) that empirical research on young people has been predominantly been conducted with those aged from 9 years old (see Kaiser Family Foundation 2001; Mitchell *et al* 2007) up to 19 years old (see Livingstone and Bober 2005), with Rogala and Tydén's (2003) research with young women aged 15-25 in Sweden being an exception to this general trend. Livingstone *et al* (2010, cited in Horvath *et al* 2013a) found that 'older adolescents were four times more likely than the youngest children to have seen pornography online or offline across all forms of media' and the sexual images older adolescents have seen online are more explicit'. While longitudinal studies (as recommended by Papadopoulos 2010) would be the most suitable method to research the changes in young people's access to and consumption of pornography over time, in-depth research with young people can investigate young people's perspectives on their changing relationships with pornography. These findings highlight that young people aged 18 to 25 are a significant and under-researched demographic.

A further area for future research highlighted in the REA pertained to the content of the pornography viewed by young people, with Horvath *et al* (2013a: 8) concluding that:

> 'Few studies have focused on the content of the pornography and whether there is anything particular about what children and young people are exposed to or access. Much current discourse is asserted without a clear evidence base or is inferred from what is believed to be available on pornographic websites […] The issue is of utmost importance given claims that pornography has become more hard core, explicitly degrading and dehumanising, and with a greater focus on aggressive sexual activity.'

As discussed previously in Chapter 1.2.1, there is a lacuna in the existing research regarding what materials young people are accessing and consuming, and young people's perspectives on these materials, while thematic literature simultaneously states that the content of pornography is rife with sexualised representations of violence, degradation and subordination (see Dines *et al* 1998; Jensen 2011; Moore and Weissbein 2010; Tyler 2010). It is therefore imperative to investigate exactly *what* young people are referring to when participating in research on pornography, *what* content they are viewing and encountering and their perspectives on this content.

The REA concluded with recommendations for future research that the Research Questions (as outlined in Chapter 2.2) for this thesis directly respond to. Horvath *et al* (2013a: 10) conclude that 'very little research has been conducted that keeps children and young people's experiences at the centre'. This recommendation again highlights the lacuna in existing research in the UK, wherein there has been little in-depth empirical research with young people on the issue of pornography, and especially with young consumers of pornography. In the context of policy, such in-depth exploratory research is vital in order to provide targeted recommendations for further research. As a result of in-depth empirical investigations, these recommendations will be grounded in an understanding of the materials young people are consuming and their perspectives on these materials.

Given these recommendations in the REA, it is of more general concern for policy-makers and legal scholars to further consider the weight that consumers' perspectives will be afforded within policy formation and legislative reform. As discussed throughout Section 1.2.1, empirical research with consumers and audience studies are emerging fields within the academic study of pornography, while there is a significant lacuna in existing research pertaining to in-depth investigations of young people's perspectives on pornography and consumption practices in the UK. Conducting such in-depth research with young people (and, within this, young consumers of pornography) will serve to draw out areas of particular policy import unreachable by large-scale quantitative studies and potentially highlight tensions between consumption practices and current legislation. Although small-scale in-depth research does not lend itself to providing solid recommendations for policy formation or legislative reform, conducting novel and exploratory research will serve to draw out areas and, indeed, tensions for further research and consideration. Therefore, the perspectives and consumption practices of young people will serve to *inform* and *instigate* further investigations of particular policy and legal import.

The recommendations in the REA also highlight the importance of foregrounding future research with definitions of pornography, and recommends research to be conducted that investigates young people's definitions of pornography and the content of this pornography:

'Research should be conducted that investigates what children and young people think pornography is and the content of what they describe as pornographic.' (Horvath *et al* 2013a: 66)

In addition, the REA specifically recommends the following as essential questions for future research on young people and pornography:

- 'What do children and young people think pornography is? [...]
- What is the content of the pornography that children and young people are exposed to and access?
- In what contexts are children and young people exposed to pornography?' (Horvath *et al* 2013b: 43)

The research questions outlined above are directly explored in this thesis. As the REA was published *after* the research for this thesis was designed and the fieldwork undertaken, this demonstrates that the Research Questions (as outlined in Chapter 2.1) for this thesis respond directly to lacunas in the existing literature base also identified by Horvath *et al* (2013) for the Office of the Children's Commissioner. While, as discussed previously, small-scale in-depth research does not necessarily lend itself to providing solid recommendations for policy formation, conducting exploratory research with young pornography consumers can serve to draw out areas of particular import for policy formation, thus providing targeted recommendations for future research in this area.

In addition, the REA recommends that future research should state clearly where it has separately considered: 'sexualised imagery (that does not meet the definition of pornography); violent imagery, and; sex acts for storyline not arousal'. In the context of this thesis, alongside investigating young people's definitions of pornography and their views on mainstream and readily-available content, this thesis also investigates violent or 'extreme' imagery as set out in the 'extreme' pornography provisions of the *Criminal Justice and Immigration Act 2008* and the *Criminal Justice and Licensing (Scotland) Act 2010*, which is the focus of the next Section (1.3) of this Chapter.

1.3 The Regulatory Framework for Pornographic Materials

This Section outlines the existing regulatory framework pertaining to pornographic materials in England, Wales and Scotland. As there has, to date, been no empirical research on young people's perspectives on the legal regulation of pornography in England and Scotland, this Section discusses only the current legislation and the criticisms of these provisions. Section 1.3.1 begins with an overview of the *OPA*, and then outlines the main criticisms of the Act in Section 1.3.1.1. Section 1.3.2 then provides an overview of the provenance and specific provisions of the current 'extreme' pornography legislation in England and Wales (the *CJIA 2008* in Section 1.3.2.1) and in Scotland (the *CJL(S)A 2010* in Section 1.3.2.2), while Section 1.3.2.3 outlines how 'possession' is defined in criminal law regimes. Finally, Section 1.3.2.4 discusses specific notable elements – and resulting criticisms – of the provisions pertaining to animated and computer-generated materials (Section 1.3.2.4.1) and depictions of rape (Section 1.3.2.4.2).

1.3.1 *Obscene Publications Acts*

Receiving Royal Assent in 1959, the purpose of the *Obscene Publications Act 1959* was to 'amend the law relating to the publication of obscene matter; to provide for the protection of literature; and to strengthen the law concerning pornography' in England and Wales. In addition to the *OPA 1959*, the *Obscene Publications Act 1964* was enacted to 'strengthen the law for preventing the publication for gain of obscene matter and the publication of things intended for the production of obscene matter', which amended some elements of the original *OPA* of enacted in 1959. For this reason, the discussion of the *OPA* in this Section refers to the parliamentary Acts of both 1959 and 1964, in England and Wales.

The *OPA* makes it an offence to 'publish, or possess for gain, obscene articles' (McGlynn and Rackley 2009: 246), punishable by up to three years imprisonment[8]. The *OPA* states that it is an offence to publish obscene articles whether for gain or not, while the possession offence within the *OPA* relates only to possession for the purpose of (presumably financial) gain meaning that – unlike the *CJIA 2008* and *CJL(S)A 2010* to be discussed later in this Section –

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[8] As McGlynn and Rackley (2009: 246) explain, 'the *CJIA 2008* increases this to five years: *OPA 1959* s.2(1), as amended by *CJIA 2008* s.71'.

there is no criminal offence for simple possession of materials proscribed by the *OPA.* There are defences in the *OPA* that rest upon whether a material is deemed to be for public good. Indeed, the 1959 Act 'removed certain restrictions from texts hitherto banned as obscene or pornographic if they could be justified as art' (McNair 1996: 11) having 'recognised that there was a difference between sheer pornographic representation and works of art, literature or learning which may necessarily contain material which some people do not consider to their taste' (Harris 2007: 55) – D.H. Lawrence's *Lady Chatterley's Lover* being the best-known beneficiary of the law (McNair 1996: 11).

1.3.1.1 Criticisms of the *OPA*

Over time the *OPA* has received much criticism, with many of these criticisms being directed toward the 'test for obscenity'. Obscene materials are defined under the *OPA* as those which 'whose effect, taken as a whole, is such, in the view of the court, to tend to 'deprave and corrupt' those likely to read, see or hear the matter contained or embodied within it' (Hargrave and Livingstone 2006: 220). McGlynn and Rackley (2009) offer three broad criticisms of the *OPA*, which will inform the structure of this Section: Firstly, lack of clarity as to what constitutes 'obscene' materials; secondly, lack of clear rationale for proscribing materials, and; thirdly, the basis of the legislation upon subjective notions of 'appropriate' sexuality and expressions of sexuality.

The lack of clarity of what constitutes an 'obscene' material is the first main criticism directed toward to the *OPA*. In terms of deciphering whether a material qualifies under the legislation as 'obscene', the test for obscenity within the *OPA* relies upon whether the material has the capacity to 'deprave and corrupt' those consuming the material in question. However, 'the offence itself is notoriously opaque', write McGlynn and Rackley (2009), and '[no] one really knows what constitutes obscene material'. Indeed, the offences proscribed within the *OPA* remain framed within anachronistic terminology dating from the original *Obscenity Bill* of 1580 (see Robertson 1979; McNair 1996: 54-55) to that of the 1868 Hicklin ruling, which spoke of the tendency of obscene materials to 'deprave and corrupt': '[Whether] the tendency of the matter charged as obscene is to deprave and corrupt those whose minds are open to such immoral influences and into whose hands a publication of this sort may fall' (*R v Hicklin 1868*).

Such 'focus on depraving and corrupting the consumers of obscene materials clearly highlights the moralistic nature of this regulation' (McGlynn and Rackley 2009: 246), which also, argues McNair (1996: 55) 'reinforces the highly subjective nature of the pornography debate' as a whole. Indeed, this moralistic terminology underpinning much of the current regulation of sexually explicit materials clearly bears the traces of conservative-Christian ideology, with the rhetoric of obscenity and capacities for depravity and corruption manifesting throughout legal discourse like a lingual accent. Furthermore, the law has not yet fully abandoned the rhetoric of its origins, with the term 'obscene' also being used in the context of setting out what constitutes 'extreme pornography' in the *CJIA 2008* and *CJL(S)A 2010*, as will be outlined later in this Chapter.

The second main criticism of the *OPA* is that it fails to set out a clear rationale for proscribing materials. As the *OPA*'s definition of the 'obscene' material it proscribes focuses on whether the material has the capacity to 'deprave or corrupt' those exposed to the materials, this test not only uses subjective language as discussed above, but also 'focuses on the effects on the consumer' (Edwards 1998). Hargrave and Livingstone (2006: 175) describe this test for obscenity in the *OPA* as 'an explicit effected-based test', yet the *OPA* does not detail how the effects of obscenity can be quantified as amounting to sufficient causation of depravity or corruption as to regard materials as 'obscene' and therefore liable for prosecution under the Act. Barnett and Thompson (1996, cited in Hargrave and Livingstone 2006: 175) state that 'the definition of depravity and corruption has been left to jurors in individual cases, but it is clear that some kind of change in mental or behavioural orientation is implied' and it is, according to Hargrave and Livingstone (2006: 175), 'not enough merely to have offended people, even in large numbers' to count as causing corruption or depravity within the remit of the *OPA*.

However, write McGlynn and Rackley (2009: 246), under the *OPA* 'there is no requirement to demonstrate harm (other than (presumably) moral harm to the consumer) and no further elucidation as to exactly what types of material might have this effect'. Indeed, the remit of what may be regarded as being 'obscene' under the *OPA* is subject to changeable circumstantial, cultural and temporal conditions, as McNair (1996: 55-6) writes:

Definitions are relevant only to particular communities at particular times, while a sexually explicit image may only sanctioned as 'obscene' if the community within which it is circulated declares it to be so… [Continually] shifting notions of depravity and corruption… make objective, rational judgements on allegedly obscene materials difficult to make.' (McNair 1996: 55-6).

McNair's above comments introduce the third and final main criticism of the *OPA*, as discussed by McGlynn and Rackley (2009) – that is, the capacities of the legislation to be used to enact moral judgements around 'appropriate' and 'inappropriate' forms and expressions of sexuality. Herein lie two main issues: firstly, that the vague and subjective nature of the test for obscenity potentially leaves the legislation open to abuse, for example the targeting of specific sexual communities, and; secondly, that materials depicting acts that may be subject to rulings under the *OPA* are not necessarily consistent with the behaviours proscribed by the *Sexual Offences Act 2003.*

According to the Home Office (2005: 7), '[prosecutions] brought under the *Obscene Publications Acts* 1959 and 1964 have declined from 309 in 1994 to 39 in 2003'. Although 'this may be the effect of new legislation that targets indecent images of children' (Johnson 2010: 162 n. 10) thus redirecting prosecutions to legislation specifically pertaining to child protection such as in the *Sexual Offences Act 2003*, scholars have also pointed to advancing technologies to explain the gradual decrease of prosecutions brought under the *OPA* (Harris 2007; Hargrave and Livingstone 2006). In particular, the advent of the internet as a means to access pornographic materials complicated the tactile notions of distribution in the context of the *OPA.* Indeed, the internet has transformed the production, distribution, possession, consumption and availability of pornographic materials, thus urging legislators to readdress how pornography – and 'extreme' pornography in particular – is legislated against.

1.3.2 'Extreme' Pornographic Materials

This Section outlines the 'extreme'[9] pornography provisions in England, Wales and Scotland[10]. Beginning with an overview of the provenance of the provisions, this Section then discusses the *CJIA 2008* (1.3.2.1) provisions in England and Wales, followed by the *CJL(S)A 2010* (1.3.2.2) provisions in Scotland. Next, Section 1.3.2.3 outlines how 'possession' is defined in criminal law regimes. This Section then discusses the criticisms of the provisions pertaining to the 'real' image stipulations (1.3.2.4.1) and depictions of rape (1.3.2.4.2).

Since the 1970s, a concern with pornography and its potential harms has been at the focus of empirical research and at the heart of feminist thought and activism in the UK (see Boyle 2014; Long 2012) and the US (see Bronstein 2011; Dworkin 1979; MacKinnon 1984). Within this, the focus had predominantly been on the capacities of consuming pornography to cause or increase the likelihood of perpetrating sexual violence, as discussed in Section 1.2 of this Chapter, leading to arguments for legislative reform in both the UK (see Itzin 1993) and the US (see MacKinnon and Dworkin 1998), as discussed in Section 1.1.

Following the so-called 'porn wars' of the 1970s and 80s, feminist activism around pornography in the UK waned somewhat during the 1990s – to be revived following the murder of Jane Longhurst by Graham Coutts in March 2003. It was during the trial of Coutts that the issue of 'extreme' pornography, and its oft-disputed causal relationship with sexual violence, came into the legal spotlight and was the catalyst for legislation criminalising the possession of 'extreme' pornographic materials manifest in the *CJIA 2008* and, later, the *CJLS(S)A 2010*.

In 2005, the Home Office and the then Scottish Executive[11] released a joint consultation on proposals to criminalise the possession of 'extreme' pornographic materials, following campaigns instigated by Jane Longhurst's mother, Liz. Entitled 'On the possession of extreme

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[9] The term 'extreme' is articulated in apostrophes throughout this thesis to reflect that 'extreme' pornography, in the context of current legislation refers to a specific set of pornographic depictions, as set out in the *CJIA 2008* and the *CJL(S)A 2010*. The differing provisions within the two Acts will be highlighted when necessary.

[10] While Northern Ireland also adopted the 'extreme' pornography provisions set out in S.63 of the *CJIA 2008*, their obscenity provisions differ and therefore the Northern Irish provisions pertaining to 'extreme' pornography are not included within the remit of this thesis.

[11] Now the Scottish Government / Riaghaltas na h-Alba.

pornographic materials' the consultation ran until December 2005 and received 397 responses in total (Scottish Executive 2006: 4) Responses to the consultation were mixed. Women's groups and children's organisations were unanimous in their support for introducing legislation, in most cases calling for 'greater legislative reform that would tackle all forms of pornography' (*Ibid*: 11). Meanwhile, a number of respondents from the BDSM community 'criticised the Home office and the Scottish Executive for not taking the time to gather evidence and gain an understanding of BDSM as a sexuality' (*Ibid*: 8).

While Westminster passed the legislation for England and Wales shortly following the consultation – gaining Royal Assent in 2008 – the Scottish Government neither adopted nor proposed to adopt the legislation at this time, choosing instead to consider more fully the issue and content of 'extreme' pornography it sought to legislate against. A short life Working Group was set up in 2006 by the then Scottish Executive to 'consider how an offence of possession of extreme pornographic material might be constructed in Scots law' (Scottish Parliament, 2009: 26). Three options were considered by the group, with the first option – that of creating a separate Scottish offence – being deemed 'most appropriate', citing the definition of "extreme pornography" adopted in England and Wales as being 'insufficiently broad' and stating that 'there was little justification for excluding images of rape from an offence intended to combat extreme pornography' (*Ibid*), as the 'English offence only covers forms of violent rape' (Scottish Parliament 2009: 27).

In September 2008, the 'Revitalising Justice' proposals document was released, announcing the Scottish Government's plans to legislate for the offence of possessing extreme pornographic images. The Scottish Government issued a press release announcing a 'new bill to tackle crime', which proposed its plan to introduce 'new provisions to protect the public from exposure to extreme pornographic material' (Scottish Government 2008), particularly materials that 'depicts horrific images of violence' (Scottish Parliament 2009: 24). Citing the 'developments in production and distribution technology', the Policy Memorandum states how the emergence of the internet 'has offered individuals faster, more convenient and anonymous means to publish and distribute material of this type' (Scottish Parliament 2009: 25). By 'closing the gap in existing legislation', the proposals were designed to 'discourage interest in extreme pornographic material by breaking the demand/supply cycle' (*Ibid*).

1.3.2.1 *Criminal Justice and Immigration Act 2008* Provisions

Receiving Royal Assent in May 2008, the *CJIA 2008* introduced a new offence which criminalised the possession of 'extreme' pornography in England and Wales. Section 63 of the Act is the first to legislate directly on any form pornography, as discussed previously in Chapter 1.1.1.

Section 63.1 of the *CJIA 2008* states that it is 'an offence for a person to be in possession of an extreme pornographic image'. An image is defined as being 'moving or still', or in the form of data capable of being converted into such a form (*CJIA 2008* s.63(8)). The image must also be 'explicit and realistic', with the condition that 'a reasonable person looking at the image would this that any such person or animal was real' (CJIA s.63(7)), therefore excluding cartoons, drawings, written work, and computer-generated images, as discussed further in Section 1.3.2.4.1. As discussed in Section 1.1.1 of this Chapter, the S63.3 of the legislation defines a material as being pornographic if it is regarded to have been 'produced solely or principally for the purpose of sexual arousal'. According to the legislation, an image is regarded as being 'extreme' if it depicts:

a) 'An act which threatens a person's life,

b) An act which results, or is likely to result in, serious injury to a person's anus, breasts or genitals,

c) As act with involves sexual interference with a human corpse, or

d) A person performing an act of intercourse or oral sex with an animal (whether dead or alive).' (*CJIA 2008* s.63(7))

As evident above, the *CJIA 2008* provisions do not currently include images of rape, yet it was announced in 2014 that the provisions would be updated to include images of rape and other non-consensual penetrative sexual activity, as discussed further in Section 1.3.2.4.2.

In terms of charges and prosecutions under s.63 of the *CJIA 2008*, available Crown Prosecution Service statistics indicate that charges and cases reaching a first Magistrates' Court hearing numbered 2,236 from the introduction of the provisions until November 2011 (Crown Prosecution Service 2012: 2). Although the available statistics do not differentiate between

charges and first hearings[12], an increase over time in the incidence of charges and first hearings is evident. For example, the number of those charged and/or reaching a first hearing for possessing depictions of animals (contravening s.63.7d of the *CJIA 2008*) increased from 213 in 2009-10 to 995 in 2010-11, while the number of those charged and/or reaching a first hearing for possessing depictions of injury to the anus, breasts and genitals (thus contravening s.63.7b) increased from 52 to 132 in the same time period (*Ibid*).

1.3.2.2. *Criminal Justice and Licensing (Scotland) Act 2010* Provisions

Despite the shared provenance of the provisions, Scotland has different legislation to England and Wales as discussed previously, particularly with regards to pornographic images of rape. On March 5th 2009, Justice Secretary Kenny MacAskill MSP introduced the Criminal Justice and Licensing (Scotland) Bill, with section 42 of the proposed Bill bringing the new criminal offence of possessing extreme pornography. The proposed offence would criminalise the 'possession of obscene pornographic images which realistically depict the following extreme acts:

- Life-threatening acts and violence likely to cause severe injury;
- Rape and other non-consensual penetrative sexual activity, whether violent or otherwise;
- Sexual activity involving a human corpse; and
- Sexual activity between a person and an animal.' (Scottish Parliament 2009: 25)

Following two debates in the Scottish Parliament, the *Criminal Justice and Licensing (Scotland) Bill* was passed on 6th August 2010 and came into force on the 23rd March 2011 (Scottish Government 2011). Section 42.2.2. of the *CJL(S)A 2010* states that an 'extreme' pornographic image is that which is 'obscene', 'pornographic' and 'extreme'. Differing from the S.63 of the *CJIA 2008*, the *CJL(S)A 2010* uses obscenity as a key defining factor of what constitutes an 'extreme' pornographic image. Section 63.6.b. of the *CJIA 2008*, meanwhile, sets out that an 'extreme' material 'is grossly offensive, disgusting, or otherwise of an obscene character'. The omission of notions of an image being 'grossly offensive' and 'disgusting' in the *CJL(S)A 2010*

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[12] While charges and cases reaching a first hearing under the *CJIA 2008* are different, the available statistics do not provide data that is differentiated between charges and cases reaching a first hearing.

could perhaps be construed as a move to safeguard matters of individual taste and sexual preference from being used as grounds for prosecution – a major criticism of the *OPA*, discussed previously in Section 1.3.1.1.

Section 42.2.6 of the *CJL(S)A 2010* states that in order for an image to be regarded as 'extreme', it must depict:

a) 'an act which takes or threatens a person's life

b) an act which results, or is likely to result, in a person's severe injury

c) rape or other non-consensual penetrative sexual activity

d) sexual activity involving (directly or indirectly) a human corpse

e) an act which involve sexual activity between a person and an animal (or the carcase of an animal).'

As is evident from the above provisions, the *CJL(S)A 2010* includes images of rape, yet – as will be discussed in Section 1.3.2.4.1 – it is unlikely that the provisions extend to animated and cartoon materials.

Available statistics for Scotland indicate that the Crown Office and Procurator Fiscal Services brought criminal proceedings in relation to 228 charges for the possession of 'extreme' pornography between March 2011 and November 2014, with 197 of these charges being brought at solemn court level and 31 at summary court level (COPFS 2014). As a result, 57 convictions were obtained at solemn court level and 16 at summary court level during this time period, while 77 prosecutions were ongoing (71 at solemn court level and 6 at summary court level) at the time the information was publicly released (*Ibid*). The available statistics do not, however, provide differentiated information on charges per subsection of the offence.

1.3.2.3 Defining Possession

This purpose of this Section is to foreground the discussion of the existing 'extreme' pornography legislation by outlining how possession is defined within criminal law regimes, with particular focus on how possession is ascertained when materials are accessed via the internet. While neither the *CJIA 2008* nor the *CJL(S)A 2010* offer a definition of what constitutes 'possession' under the provisions, previous criminal cases on the possession of

child sexual abuse images can serve as useful insights into the definitions of possession within wider criminal law regimes and therefore into how possession may be conceived under the 'extreme' pornography provisions.

As outlined previously, the *CJIA 2008* and *CJL(S)A 2010* set out that it is a criminal offence to possess an 'extreme' pornographic material. Technological advancements in recent years and the subsequent proliferation of the internet have served to problematise and question the definition of possession as utilised in criminal law. Indeed, 'the development of computer technology has […] given rise to much complexity in determining when an individual will be held to be in ''possession'' of the particular image' (McGlynn and Rackley 2009: 252).

Prior to the internet, a possession offence was envisaged as an individual having a physical, tangible artefact in their custody, such as a book, magazine or – more recently – a video tape or DVD. As discussed in Section 1.3.1.1 in the context of the *Obscene Publications Acts*, it was the advent of the internet as a means to access pornography that complicated the tactile concepts of what constitutes the possession of a material[13] and therefore instigated legislative change – ultimately resulting in the 'extreme' pornography provisions and, within this, the introduction of a possession offence.

Considering the functions of computer technology and the internet in the context of the 'extreme' pornography provisions, there are two predominant ways in which an individual can possess a material as demonstrated in previous possession cases of child abuse images. First, an individual can save a file to the hard-drive of their computer or other electronic device. This file may have been downloaded from an internet site or copied from another source and saved onto their device. This type of possession features frequently within criminal law regimes, and specifically in the context of materials depicting child sexual abuse.

With the proliferation of pornographic streaming sites on the internet, it is also possible to view proscribed materials without intentionally downloading or storing the digital file to an electronic device. Therefore, the second predominant mode of digital possession is where an individual views an image or streams a video within the internet browser on their computer or electronic device. A digital trace of this activity is stored as a file within the 'cache' files of

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[13] The *OPA* only applies to possession for gain.

the computer or device used to view the material. These 'cache' files serve as a record of the internet activity on the device and contain retrievable information, such as the materials viewed.

Although no precedent has been set for the admissibility of 'cache' files as evidence under the *CJIA 2008* and *CJL(S)A 2010* 'extreme' pornography provisions, previous cases on the possession of materials depicting child sexual abuse demonstrate the use of 'cache' files as evidence within existent criminal law regimes. Within this, previous child abuse image possession cases have demonstrated that such evidence is only regarded as permissible if the individual is capable of retrieving these files, as McGlynn and Rackley (2009: 252) explain:

> 'What appears to be the case from *Porter*, concerning possession of child abuse images, is that the answer depends on the extent to which the image is in the defendant's ''custody and control''. Where, for example, images have been deleted, though retrievable with specialist software (as in *Porter*), defendants will not be in possession of the image so long as they do not have the relevant software and/or the capability to carry out the retrieval.'

Therefore, this suggests that a person may only be found guilty of an offence if they have the capability of retrieving the materials on their device.

If guilt is to be determined by the act of possessing the material (the *actus reus*) and the intent to possess the material (the *mens rea*), an individual must be in possession of the material with intent in order to be found guilty of contravening the 'extreme' pornography provisions. If intent to possess is a main tenet of guilt, this then highlights how an individual's understanding of possession is a mediating factor when deciding guilt. If an individual is – in the words of McGlynn and Rackley (2009) – 'just looking' at a material, such as streaming a video or viewing an image on an internet browser, then it may not be their understanding that the digital traces of this act (within the computer 'cache' files, for example) are stored on the device and are retrievable, which may constitute possession under the *CJIA 2008* or *CJL(S)A 2010*. In such instances where it is difficult to prove the *intent* to possess, previous child abuse cases have utilised search terms as evidence. If such search terms, stored within

the internet browser history and also within 'cache' files demonstrate whether a person has purposefully sought out the materials they are found to be in possession of.

Considering these factors, it is clear that possession with intent (such as purposefully downloading and storing a file) is *different* from viewing (such as streaming online) 'extreme' pornography. Yet, as the 'extreme' pornography legislation was, in part, writ to set a wider ethical precedent around which materials the state deem it acceptable to access, while *different* these means of possession still demonstrate that an individual is accessing materials that – as Scottish Justice Secretary, Kenny MacAskill MSP, stated – purportedly 'have no place in a civilised society' (STV 2009). Drawing upon this wider purpose of the legislation, McGlynn and Rackley (2009: 253) recommend that courts utilise a broad definition of possession in 'extreme' pornography cases to encapsulate those who are 'just looking' at the materials, thus including those who – even unknowingly – have materials stored in the 'cache' files of their electronic device. However, with a lack of legal precedent set regarding these specificities of possessing 'extreme' pornographic materials to date, it is currently unclear whether – although different – knowingly possessing materials (the act of downloading and purposefully storing materials) and unknowingly possessing materials (such as in 'cache' files on an individual's computer) may in practice both constitute offences under the *CJIA 2008* and *CJL(S)A 2010* provisions.

1.3.2.4 Criticisms of the 'Extreme' Pornography Provisions

A number of criticisms have been meted towards the 'extreme' pornography provisions, most notably the omission of rape in the *CJIA 2008* and the concept of 'cultural harm' (McGlynn and Rackley 2009). In addition, the provisions also omit animated, cartoon and computer generated materials, by virtue of the 'real' image stipulations in the *CJIA 2008* and, mostly likely, though similar stipulations in the *CJL(S)A 2010*. The 'extreme' pornography provisions have attracted further criticisms akin to those waged towards the *OPA* (as discussed in Section 1.3.1.1), such as the capacity of the legislation to reinforce and re-inscribe notions of 'appropriate' expressions of sexuality (see Carline 2011). This Section, however, presents an overview of the main two criticisms of the 'extreme' pornography provisions – the 'real' image stipulations (1.3.2.4.1) and the initial omission of rape from the *CJIA 2008* (1.3.2.4.2).

1.3.2.4.1 The 'Real' Image Stipulations in the *CJIA 2008*

A conflict in the *CJIA 2008* and – arguably – the *CJL(S)A 2010* is that the people (and, indeed, animals) depicted in an image must be considered 'real' in order for the 'extreme' pornography provisions to apply to the material. This stipulation therefore implies that the provisions do not apply to animated, cartoon or computer-generated materials[14]. Little research has explored animated, cartoon and computer-generated materials – in terms of the content and consumers of these materials. Moreover, there are no publications solely addressing these materials in the context of the 'extreme' pornography provisions, demonstrating that this is an area in need of further inquiry.

Section 63 of the *CJIA 2008* stipulates that in order for it to be a criminal offence to possess an 'extreme' pornographic material, 'a reasonable person looking at the image would think that any such person or animal was real'. This clause therefore indicates that the 'extreme' pornography provisions apply only to materials depicting 'real' people or animals, and animated or computer-generated materials are therefore exempt from the *CJIA 2008* provisions.

The provisions within Section 42 of the *CJL(S)A 2010* are, however, less overt with regards to whether the provisions only apply to materials depicting 'real' people. Indeed, the legislation states that an 'extreme' image depicts the acts outlined in Section 1.3.2.2 'in an explicit and realistic way'. The phrasing of these provisions are certainly more open to interpretation than in the case of the *CJIA 2008*, yet when examining the defences within the *CJL(S)A 2010* it becomes apparent that it would also not be possible to prosecute on the basis of a cartoon or computer-generated image in Scotland either. The provisions for defences in Section 51C of the *CJL(S)A 2010* state:

> '(3) Where A is charged with an offence under section 51A, it is a defence for A to prove that
>
>> (a)   A directly participated in the act depicted, and

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[14] Acknowledgment and thanks here to Professors Clare McGlynn and Erika Rackley for raising this confliction in the *CJIA 2008*, in their 2009 *Criminal Law Review* article and during Gender and Law at Durham (GLAD) research group meetings.

(b)   subsection (4) applies

(4) This subsection applies

(a)   in the case of an image which depicts an act described in subsection (6)(a) of that section, if the act did not actually take or threaten a person's life'

Section 51C subsection (4) continues with 'if the act depicted did not actually result in (nor was it actually likely to result in) a person's severe injury', 'if the act depicted did not actually involve non-consensual activity', 'if what is depicted as a human corpse was not in fact a corpse', or 'if what is depicted as an animal (or the carcase of an animal) was not in fact an animal (or a carcase)', meaning a defence can be raised on the basis of no 'actual' harm being committed. This focus on 'actual' harm against a person or animal depicted in materials suggests that in order for there to be 'actual' harm there must be 'actual' – or 'real' – people or animals for this harm to be enacted upon. Yet, the provisions also stipulate that the defendant must have directly participated in the act depicted in the image, which is improbable in the context of cartoon or computer-generated materials, unless the defendant is themselves the producer of the material. Despite this, when taken as a whole – including the 'explicit and realistic' clause – the provisions in the *CJL(S)A 2010* suggest that cartoon and computer-generated materials are most likely outwith the remit of the legislation, although in the absence of case law on this matter to date this issue remains ultimately unclear.

Sexually explicit animated, cartoon and CG depictions manifest in a number of ways – perhaps the most well-known being Hentai, which is 'a subgenre of the Japanese genres of manga and anime, characterised by overly sexualised characters and sexually explicit images and plots' (ODE 2006). In terms of etymology, the term Hentai in Japanese 'can reference sexual material but only of extreme, 'abnormal' or 'perverse' kind,' yet 'it is not a general category' of sexually explicit materials but a term used in the West to reference sexually explicit materials illustrated in Japanese manga and anime styles (McLelland 2005). With the popularity of game-related anime cartoons such as *Pokémon* and *Yu-Gi-Oh*, anime cartoon series such as *Dragonball Z,* the *Powerpuff Girls* and *Sailor Moon,* alongside popular filmic exports such as *Princess Mononoke* and *Spirited Away* enjoyed by young people and adults

alike, 'anime has become a distinct feature of children's entertainment in the West' (Dahlquist and Vigilant 2004: 92), which may serve to provide a transition for young people into viewing Hentai materials. In addition, there have been 'enduring, adult fan bases for Japanese manga and anime' since the 1980s, driving an impetus in the West towards the proliferation of sexually explicit materials in these mediums – namely Hentai (*Ibid*). In terms of content, Dahlquist and Vigilant (2004: 91, 97) state:

> 'Japanese comics and animated cartoons may very well represent of the most precarious categories of commonly encountered Internet pornography. This unique erotic form – hentai – curiously blends otherwise conflicting images: sex and cartoons, flesh and fantasy, human and alien. Yet hentai is more than a cultural curiosity – it often contains disturbing images of ambiguously gendered characters, less than subtle suggestions of childhood youth, violence, and rape […] much of hentai is indexed as "hard core" and is likely to signify some combination of domination, bondage, and rape.' (*Ibid*)

As Dahlquist and Vigilant state, the content of Hentai materials often depict infantilised females, rape, sexualised violence, and fantastical or non-human characters. Hentai materials are staple features of Internet pornography, with access to these materials being attained with ease:

> 'Standard Internet pornography sites often link to hentai (pornographic anime) pages or fold in varieties of drawings and animation along with typical photographic and video pornography. Hentai is presented as a taste, genre, or preference and thus marketed along with other virtual sex products. This means that more and more the curious, determined, or experienced seekers of Internet pornography will encounter animated pornography in the pop-up activity of web surfing.' (*Ibid*: 95)

Dahlquist and Vigilant's (*Ibid*) suggestion that many consumers of pornography may encounter these materials is significant in the content of current legislation, especially if some of these materials also depict rape and sexualised violence.

Hentai is not the sole type of sexually explicit material available in a cartoon or computer-generated medium. Sexually explicit cartoon materials that mimic popular television series such as *The Simpsons* and *Family Guy* are readily available on the Internet, while computer-

generated materials and games – such as the controversial Japanese game *RapeLay*, wherein the object is to rape and abuse young women – are also available (Nakasatomi 2011). Games such as *Rapelay* depict 'women and girls being subjected to commuter train groping, stalking, forceful confinement, rape and gang rape until they succumb to the assaults, even up the point where a victim is shown begging her rapist to abuse her' (*Ibid*: 167). While *Rapelay is* marketed as a computer game, wherein the 'player' controls the action on-screen, Nakasatomi (2011: 169) states that the circulation of animated films with similar content is common.

Considering the sexually violent content of some animated materials in the context of 'cultural harm', as discussed by McGlynn and Rackley (2009), is it difficult to decipher a justification for why animated materials are exempt from the 'extreme' pornography provisions. From the perspective of preventing harm to those depicted in the materials, the rationale behind the legislation seems solid – yet, why then specifically criminalise possession of these materials? If the legislation instead seeks to prevent the consumption of sexually violent materials due to a concern regarding the impact and potential harms of these materials upon individuals and wider culture, then it can be argued that the legislation falls flat. Indeed, if harm-prevention is the rationale behind the legislation – this potential harm manifesting as a result of the messages inherent within sexually violent materials – then what of the sexually violent depictions of 'not real' people? Do these materials convey similar messages of violence and degradation to the messages inherent in materials criminalised under the 'extreme' pornography provisions? At this point, it certainly seems that this is a distinct possibility.

Indeed, by virtue of *not* depicting 'real' people, '[there] are no limits to the possibilities' of these materials and 'this is why hentai sex is more real – and better than real' (Dahlquist and Vigilant 2004: 95). For this reason, Hentai and other animated materials are a 'commercially viable masturbation aid because it is *more virtual*, expressive of possibilities, and ultimately *more ambiguous* than photos and videos' (*Ibid*) – commercially viable, too, because these materials can currently be possessed and consumed without any criminal repercussions, despite the nature of what these materials may depict. Due to this, it is of paramount importance to investigate animated and computer-generated materials in the contexts of the

content of these materials, young people's contact with and perspectives on these materials, and the current 'extreme' pornography provisions in England, Wales and Scotland.

1.3.2.4.2 Depictions of Rape

Currently, the legislation pertaining to 'extreme' pornography in England and Wales and in Scotland differ in the remit of the 'extreme' materials they proscribe – specifically, whether materials depicting rape and non-consensual penetrative sexual activity are covered by the legislation. Although the 'extensive availability of sites featuring violent rape' was discussed in the 2005 Home Office consultation (Home Office 2005), a key exclusion from the provisions in England and Wales was materials depicting rape and non-consensual sexual activity. What began as an arguably feminist-inspired challenge to the lacuna in legislation against sexually violent materials became a stomping-ground for arch-liberals and moral crusaders in Westminster. Meanwhile, legislators had a difficult task in trying to strike a balance between anti-pornography feminist, so-called 'sexual freedom', and moral conservative voices all jostling for a prime position in this debate. This resulting legislation was what McGlynn and Rackley (2009: 245) describe as a 'pale imitation of that originally proposed'; the shortcomings in the provisions being attributed to how 'the Government lost sight of the real harm in pornography and failed to justify its actions in terms acceptable to constituencies beyond the moral-conservative' (*Ibid*).

During the consultation phase, the Government was under substantial pressure from BDSM, anti-censorship and civil liberties groups and allied individuals and thus 'lost sight of the nature of the harm it was seeking to legislate against' (McGlynn and Rackley 2009: 256). The 'lack of evidence of harm' (Woodhouse 2014: 6) became a central argument during the consultation process and writing of the Bill, with the focus increasingly shifting toward notions of individual harm (and the lack of evidence for this), alongside notions of disgust observable too in the already-existing *OPA* (discussed in Section 1.3.1). As McGlynn and Rackley (2009: 258) explain, 'in the face of sustained criticisms of its proposals by arch-liberals demanding evidence of physical harm and direct, causal links, the Government retreated from the argument about cultural harm to one of direct harm'. Indeed, the debates increasingly focused on a lack of linear causal evidence between viewing sexually violent materials and perpetrating sexual violence, and the lack of such evidence was used to justify the exemption

of sexual violence from the legislation. Meanwhile, arguments framed within notions of disgust ensured that other depictions – such as sexual activity between people and animals – were proscribed under the *CJIA 2008*.

The wording of the current provisions in the *CJIA 2008* necessitates that in order to be considered as an 'extreme' material, the material must explicitly and realistically portray an act which threatens a person's life, or an act which results (or is likely to result) in serious injury to a person's anus, breasts or genitals. Therefore, as McGlynn and Rackley (2009: 250) reflect, '[although] some "violent" rapes may be covered (what is a "non-violent" rape?), if they involve weapons or cause injury to the anus, breasts or genitals, this excludes many pornographic rape images'. While the more recent *CJL(S)A 2010* includes depictions of rape and non-consensual penetrative sexual activity within its provisions, the *CJIA 2008* currently does not. There has since been impetus to amend the provisions to include depictions of rape (see McGlynn and Rackley 2014), with the Prime Minister announcing in 2013 that the 2008 Act would be amended to include images depicting rape and non-consensual penetrative sexual activity (Woodhouse 2014: 1) in England and Wales – a significant and recent development.

Now the possession of depictions of rape and other non-consensual penetrative sexual activity is to be a criminal offence throughout England, Wales and Scotland[15] – through the current *CJIA 2008* provisions and forthcoming amendments to the *CJL(S)A 2010* – it is even more pertinent to examine young people's perspectives on – and possibly, even, their interactions with – these materials. 'Extreme images raise important new questions for social and cultural studies', argues Attwood (2011: 19) – with this 'rising effluvium of pornography and violent pornography on the internet' being a 'nettle which needs to be grasped' (Edwards 1997: 137). As Kappeler (1992: 88) observes, 'the merest mention of "pornography" is

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[15] For the purpose of clarity, the provisions pertaining to rape and other non-consensual penetrative sexual activity apply to materials that have been obtained for the sole or principal purpose of sexual arousal. As discussed previously in Section 1.1.1, it is not an offence to possess a material depicting the acts outlined in the *CJIA 2008* and *CJL(S)A 2010* provisions if the image or series of images forms part of a broader narrative, such as in a mainstream cinematic context. These materials will, too, have been subject to classification by the British Board of Film Classification (as constituted by the *Video Recordings Act 1984*), which considers the framing, content, and necessity of depictions of rape and sexual violence within the broader narrative context while reviewing and classifying the material (see BBFC 2012). However, should an image or series of images be extracted from the context of its wider narrative and consumed for the sole or principal purpose of sexual arousal, then the possession of such images may be subject to the provisions.

followed like a Pavlovian reflex by the word "censorship" as if there was no context other than that of censorship and the law in which the problem of pornography could be raised'. Yet now, 'in a high-tech, media-saturated, postmodern culture, the image of pornography in the popular consciousness has changed almost completely' (Chatterjee 2001: 74), and 'media and communication technologies have become integrated into everyday life' (Attwood 2011: 17). Chatterjee (*Ibid*) writes that the 'set of values associated with [pornography] have altered quite considerably': moving from Kappeler's 'Pavlovian reflex' in associating pornography with censorship, towards a new association of pornography with the internet. Indeed, for some time now, 'in the public mind the words 'internet' and 'pornography' go together, just like 'moral' and 'panic'' (Kenny 1999: 22).

In this shifting legal and cultural landscape, it is therefore vital to investigate in-depth young people's interactions with pornography and their perspectives on legal regulation. As discussed in Section 1.2.2 in the context of policy, while small-scale in-depth research does not necessarily lend itself to providing solid recommendations for legislative reform, conducting exploratory research with potential consumers of these materials – both materials depicting rape and animated materials – can serve to draw out areas of particular legal import, thus providing targeted recommendations for future research and consideration in this area.

1.4 Summary: Literature Review

Presenting an analysis of the existing literature and current regulatory framework for pornography in England, Wales and Scotland, Chapter 1 has demonstrated that there are lacunas in the knowledge base pertaining to young people and pornography in three key areas: How young people define pornography (Section 1); in-depth qualitative research on young people's experiences and viewing of pornography (Section 2), and; young people's knowledge of the existing regulatory framework for pornographic materials and their views on the legal regulation of pornography (Section 3).

Section 1.1 discussed how the existing literature base and legislation offers a variety of definitions of pornography that broadly related to intent, impact and content, alongside paradigmatic definitions. Considering the previous empirical research and the

recommendations offered by Livingstone 2003 and Horvarth *et al* 2013, this Section then outlined the importance of discussing and establishing definitions of pornography with research participants when conducting empirical research on pornography.

Section 1.2 then discussed the thematic and methodological trends and lacunas in the existing literature base pertaining to existing research with young people on pornography, demonstrating that existing empirical research on young people and pornography has predominantly been carried out using quantitative methods, framed within impact-based methodologies. This Section established young people and pornography is a significant research area, and highlighted the current dearth of in-depth research that investigates the *range* and *types* of pornographic content viewed by young people, and their perspectives on these materials – observations corroborated in the REA conducted by Horvarth *et al* in 2013.

Finally, Section 1.3 outlined and analysed the current regulatory framework for pornographic materials in the England, Wales and Scotland, and highlighted the current lack of empirical research on young people's perspectives on the legal regulation of pornography. This Section discussed the key criticisms of the *OPA, CJIA 2008* and the *CJL(S)A 2010*, thus identifying areas of the legislation requiring further consideration. This Section demonstrated that in light of the recent legislative shifts pertaining to pornography, it is even more pertinent to investigate young people's perspectives on the legal regulation of pornography and knowledge about the current regulatory frameworks in England, Wales and Scotland. While small-scale in-depth research does not necessarily lend itself to providing solid recommendations for policy formation and legislative reform, conducting exploratory research with potential consumers of these materials can serve to draw out areas of particular legal and policy import, thus providing targeted recommendations for future research and consideration in these areas.

CHAPTER 2

Methods and Methodology

This Chapter discusses the methods and methodology of the empirical research investigating young people's perspectives on pornography and its legal regulation. Following consideration of the existing literature throughout Chapter 1 (summarised in Chapter 1.4), Section 2.1 of this Chapter outlines the Research Questions investigated in the empirical research. Section 2.2 then presents an account of the Research Design including the development of innovative and ethically sound empirical methods for researching young people and pornography – 'Spectral Elicitation' – and the incorporation of these methods into the Interview Design. With Section 2.3, this Chapter then discusses those participating in the empirical research, outlining the participant recruitment process, participant demographics, and participants' self-reported motivations to participate in the empirical research. Section 2.4 outlines the ethical considerations informing the empirical research and the ethics process. Next, Section 2.5 discusses the data collection methods, including interview design, the pilot interview process, and the interview sites. Section 2.6 outlines the methods for analysing the empirical research data informing this thesis. This Chapter concludes with an account of the researcher's reflections upon conducting the research for this thesis in Section 2.7.

2.1 Research Questions

This Section outlines the Research Questions for the empirical research informing this thesis. Following consideration of the existing literature and legislation throughout Chapter 1 and as a result of the gaps in knowledge identified (as summarised in Chapter 1.4), this research established three main Research Questions, with the sub-questions investigated detailed below each main question for the research:

Research Question 1: How do young people define pornography?

➢ What are young people's definitions of pornography?

➢ What media do young people consider pornography to manifest in?

➢ What factors influence young people's definitions of pornography?

Research Question 2: What is the range of pornography viewed by young people?

➢ What are the range, frequency and contexts of young people's contacts with pornography?

➢ What is the range of pornographic content viewed by young people?

Research Question 3: What are young people's perspectives on the legal regulation of pornographic materials?

➢ What materials do young people think are currently criminalised in England or Scotland? In what contexts?

➢ What materials do young people think should be criminalised? In what contexts?

➢ What are young people's perspectives on the 'real' image stipulations in the *CJIA 2008* provisions?

➢ What are young people's perspectives on the preventative capacities of possession offences?

➢ What are young people's perspectives on the capacities for pornographic materials to 'deprave', 'corrupt'[16] and harm?

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[16] 'Deprave' and 'corrupt' as set out by the 'test for obscenity' in the *OPA*, outlined in Chapter 1.3.1.

2.2 Research Design

This Section discusses the research design for the empirical research investigating young people's perspectives on pornography and its legal regulation undertaken for this thesis. This Section begins by outlining the research design for this thesis, with Section 2.2.1 then discussing the development of the Spectral Elicitation method designed for the purpose of this particular empirical research.

This research used a qualitative approach, utilising in-depth semi-structured interviews and the Spectral Elicitation method developed for the purpose of this research and employed in the empirical research interview context (as outlined in Section 2.2.1). In direct response to the Research Questions outlined in Section 2.1 of this Chapter, the purpose of the research design was to instigate a dialogue with young people about their experiences of and views on pornography, in order to investigate how young people define pornography (Research Question 1), the range of pornography viewed by young people (Research Question 2), and young people's views on the legal regulation of pornography (Research Question 3). Utilising a qualitative research design directly responds to the exploratory and investigatory nature of these specific Research Questions, enabling a rigorous and in-depth investigation unsuited to and unreachable by quantitative methods.

As discussed in Chapter 1.2, previous research investigating young people and pornography has generally utilised a quantitative research design, the data is usually collected through surveys delivered on paper or by telephone, and the data generated and resulting research findings are generally statistical. While the existing research provides necessary overviews of young people's experiences of and encounters with pornography, the existing research base generally lacks in-depth insights into young people's experiences of and views on pornography. Having considered this lacuna in the existing research, this research was designed to investigate the experiences and perspectives informing these statistics, in order to situate the perspectives of young people within the academic discourse on young people and pornography.

In order to conduct an in-depth investigation of the Research Questions (outlined in Section 2.1 of this Chapter) that was grounded in the views and experiences of young people, a

qualitative empirical research design was utilised for the purpose of this research. Qualitative research is well-suited to '[efforts] to generate new knowledge of culture and social life' (Wagner 2007: 26), using 'its gathered data to create theoretical ideas' (Davies 2007: 11). Denzin and Lincoln (2003: 4) describe qualitative research as a 'situated activity that locates the observer in the world', explaining that 'qualitative research involves an interpretive, naturalistic approach to the world… attempting to make sense of, or to interpret, phenomena in terms of the meanings people bring to them'. These interpretations demonstrate that a qualitative research design is beneficial when investigating social phenomena and situating young people as active agents within these phenomena. Using qualitative methods to investigate young people's experiences of pornography and its legal regulation enables the research to use an interpretive approach, interpreting the findings 'in terms of the meanings people bring to them' (*Ibid.*) and using these meanings to generate theoretical contributions to the academic study of pornography and young people. A qualitative research design attunes to the Lyotardian *petit récit* and *histoires*[17] – the small stories and histories of young people – to gain theoretical insights into the rapidly expanding and transforming realm of pornography grounded in the perspectives of young people.

This research utilised in-depth semi-structured interviews to gather the data on young people's perspectives on pornography and its legal regulation. In the context of this exploratory and investigatory research, utilising interviews enabled in-depth data on the complex personal, social and legal issues pertaining to pornography to be gathered. The empirical research interviews were face-to-face, with the researcher conducting interviews with each individual young person participating in the research in a one-on-one format. The research utilised double interviews, wherein participants were invited to participate in two standalone interviews. Interview I investigated Research Questions 1 and 2 (as outlined in Chapter 2.1) and Interview II investigated Research Question 3, which are outlined and discussed further in Chapter 2.6. Due to the qualitative research design and use of double interviews, the research utilised a small sample. As Davies (2007: 139) asserts, small sample

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[17] In *The Postmodern Condition: A Report on Knowledge,* Lyotard (1984) wrote of the importance to attune to the 'small stories' people tell, as a means to understand and interpret the social world. Lyotard's postmodern theory criticises the traditional Western methods for generating knowledge about the world, which privileges the scientific endeavours of rationalism and deductionism as the most reliable, accurate and 'true' ways to generate knowledge and interpret real-world data, the basis for much of this thought having been influenced by René Descartes' (1968) *Discourse on Method and the Meditations*.

studies 'throw light on feelings, prejudices and subliminal ideas that [are] difficult to tap into by more structured methods. They allow respondents to supply the researcher wide-ranging perspectives on complex issues.' The researcher conducted in-depth interviews with eighteen young people aged between 18 and 25. Due to the potentially sensitive and divisive nature of the subject matter, group interviews were not suitable for this research as it was necessary to ensure that the interview environment remained confidential, non-judgemental and safe for the young people participating in the research (as outlined in Chapter 2.4) and that the findings generated accurately reflected young people's interactions with and perspectives on pornography.

Conducting face-to-face semi-structured interviews is a well-established empirical research method within qualitative research, allowing a 'less-rigid' approach to interviews and creating the space to 'explore a topic more openly and to allow interviewees to express their opinions and ideas in their own words' which is 'particularly useful for exploring a topic in detail [and] in constructing theory' (Esterberg 2002: 81). The use of empirical data to inform or generate theory is often cited as a 'grounded approach' (Corbin and Strauss 1990), also called a 'grounded theory approach'. Within this, the researcher begins 'by examining the social world, and, in that process, develop a theory consistent with what [the researcher is] seeing' (Esterberg 2002: 7), with Figure 1 below visually demonstrating this approach to research.

Figure 1: An Inductive Approach to Research
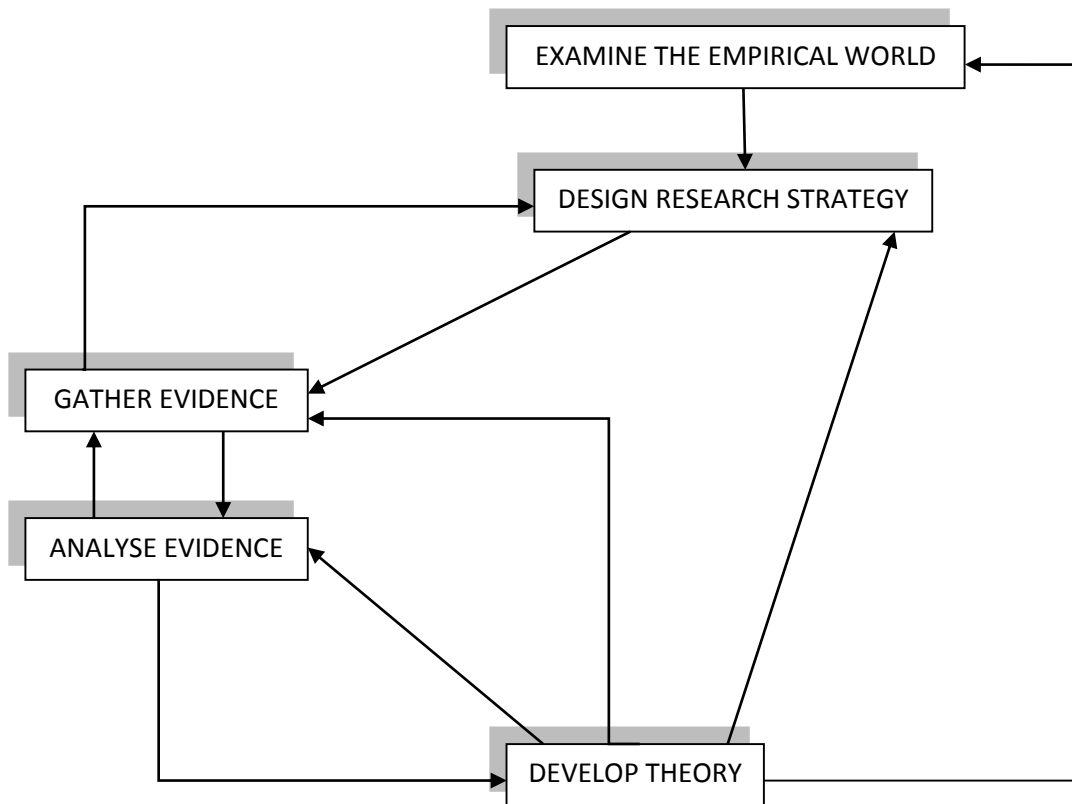
(Diagram adapted from Esterberg 2002: 7)

As demonstrated by the above diagram in Figure 1, this inductive approach to empirical research is dynamic, with the research design, analysis and theory being informed by one another in symbiotic reciprocity throughout the research process. As an example of this inductive process in practice, the pornographic viral video *Two Girls One Cup* was frequently discussed by participants early in the data collection process and as a result was built into the Interview Design in order to gather data on this emerging theme throughout the empirical research, discussed further thematically in Chapter 4.2.2.6.

2.2.1 Spectral Elicitation Method

This Section outlines the development of the Spectral Elicitation method designed for the purpose of this research and the use of the method in the empirical research context. Spectral Elicitation is a tactile diagramming technique, utilising visual cues to elicit dialogue in an interview context. This Section discusses the development the Spectral Elicitation method in the empirical research interviews and outlines the Spectral Elicitation method in practice in the empirical research interview context. Beginning with Section 2.2.1.1 introducing elicitation methods in the context of empirical research, this Section then outlines the methodology underpinning the development on the Spectral Elicitation method for this particular research. This Section 2.2.1.2 then outlines how the Spectral Elicitation method was utilised in the interview context.

2.2.1.1 Development of the Method

The Spectral Elicitation method was designed and developed for the purpose of the research on young people's perspectives on pornography and its legal regulation. Integral to the research design was to develop and implement an empirical research method that was both innovative and ethically sound, in order to gather thorough and defined data on complex issues whilst constantly revisiting the ethical considerations necessitated by the research (discussed in Chapter 2.4). As pornography and its legal regulation can be a complex and potentially sensitive topic that may be challenging for participants to explore and articulate in an interview context, the Spectral Elicitation method was developed and integrated into the research design to facilitate discussion and to provide a means for young people to communicate and explore their perspectives through tangible visio-textual cues. The aims of incorporating an elicitation method into the research design were to provide means for participants to explore the Research Questions non-verbally, thus reducing potential pressure on the participant to verbally articulate every experience or perspective they wished to share, and to facilitate the investigation of young people's perspectives on pornography through the physical manipulation of complex concepts and themes.

Elicitation methods utilise visual artefacts to facilitate dialogue and investigate Research Questions in an interview context. The purpose of an elicitation method is to elicit – or draw

out – participants' perspectives using non-verbal cues, such as photographs, videos, maps, and diagrams. The use of visual elicitation within the context of qualitative empirical research is a widely utilised method, manifest in the inclusion of visual stimuli to elicit dialogue in an interview context. According to Harper (2002: 13), '[elicitation] interviews connect "core definitions of the self" to society, culture and history', which 'mines deeper shafts into a different part of human consciousness than do words-alone interviews' (Harper 2002: 22). Visual elicitation stimuli are 'artefacts employed during interviews where the subject matter defies the use of a strictly verbal approach', with such stimuli typically including 'physical specimens, maps, drawings, photographs and video clips' (Crilly *et al* 2006: 341). Such as in Liebenberg's (2009) study on young mothers in South Africa and Allen's (2008) study investigating young people's 'agency' in sexuality research, such stimuli can be created by the participant, maximising the potential of visual methods to act as a 'discussion point' (Liebenberg 2009) and as a 'border crosser' (Giroux 1992). Likewise, 'the use of diagrammatic stimuli has, to date, focused on representations produced by the interviewee' (Crilly *et al* 2006: 342). Whilst it is also common to utilise artefacts created by the researcher, or those gathered from existing sources, inviting participants to construct the visual artefacts encourages participation and engagement in the research process and is an approach often utilised by empirical researchers across disciplines.

In empirical research, elicitation techniques manifest most commonly in photo-elicitation – as in, the use of photographs, either supplied by the researcher or produced by the participants themselves. As in Allen's (2008: 568) study on young people and sexuality, it was found that 'through discussion of photographs […] photo-elicitation enables young people to actively participate in the meaning made of these images'. Images representing sexualised culture were used in empirical research contexts, too, in Zero Tolerance's (2014) report on youth and sexualisation. However, as Lehman (2006: 1) notes, there are 'special issues surrounding the academic study of porn', especially in an empirical research context. Indeed, '[the] matter of whether or not to include visual examples of the phenomenon under discussion appears, paradoxically, to be the most acute in precisely those areas of social and cultural inquiry – gender, sexuality, the media – where illustrations are most likely to be found in abundance' (Emmison and Smith 2000: 14-15). Moreover, as Attwood and Hunter (2009: 548) assert, 'though this is an area of academic interest with great potential for integrating

theory and creative practice, the two are almost always kept rigorously apart' – perhaps, in part, due to the specific ethical and legal considerations research on pornography necessitates.

Indeed, in the context of pornography research, using visual images can be deeply problematic from an ethical standpoint for two predominant reasons. Firstly, as the possession of extreme pornographic materials is a criminal offence under the *CJIA 2008* and the *CJL(S)A 2010* (as outlined in Chapter 1.3.2), participants could not be invited to bring their own materials into the interview context. If a participant were to bring a criminalised material into the interview context – even unwittingly – this could have serious personal, legal and ethical implications for the participant, the researcher, the research itself, and the institution.[18]

Secondly, if non-criminalised pornographic materials were to be present in an interview context, this may also impact negatively upon the participants, the researcher, the readers or audiences, and those depicted in the images – who have not provided informed consent for their images to be used in the research. Scholars such as Emmison and Smith (2000) fear that including pornographic images in research replicates the abuse potentially experienced by those in the images, causing the researcher to be complicit in this abuse. This ethical concern was manifest, too, in Jenefsky and Miller's (1998) content analysis of 'girl-girl sex in *Penthouse*' – here, the authors did not include illustrative images in the published article, choosing instead to incorporate textual descriptions of the images. Likewise, in their content analysis of mainstream pornography, Jensen and Dines (1998: 66) question the 'ethical implications of […] reproducing pornographic images, even in a critical framework'. They also question whether they are 'not just adding to the amount of pornography in the world' by publishing their research, and express concern towards how their research would be used (*Ibid*: 67).[19]

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[18] The same, too, could be said here in the context of child sexual abuse images, also proscribed under the *CJIA 2008* in addition to the *Sexual Offences Act 2003* and the *Police and Justice Act 2006*.

[19] There are further debates and justifications for including or omitting pornographic images in publications. Some publications, such as Morgan's (1989) study on female dominatrix pornography, include illustrative images. In these instances, it was justified that these particular images 'present an image of the female as empowered' (Emmison and Smith 2000: 14) and align to notions of pornography as a liberatory or progressive media form in women's empowerment. Other scholars, such as Williams (1999), have advocated the inclusion

This is major concern when conducting research on pornography – especially research undertaken from a perspective that is critical of mainstream pornographic depictions and informed by knowledge of gender-based violence. Due to these factors, the use of visual images in an interview context could present both ethical and legal problems. As a result of these two major ethical considerations in the context of designing this research, the main concern when designing this method was how to conduct empirical research involving elicitation methods on a predominantly visual medium in the *absence* of visual images.

In order to develop and implement an elicitation method that does not involve the use or production of visual images, diagramming techniques and 'graphic elicitation' (Crilly *et al* 2006) methods were considered during the development of the Spectral Elicitation method. Crilly *et al* (2006) put forward the concept of 'graphic elicitation', which involves utilising diagramming techniques as elicitation methods in an interview context. Crilly *et al* (2006: 341) state that '[diagrams] are effective instruments of thought and a valuable tool in conveying those thoughts to others', and so 'can be usefully employed [to] act as stimulus materials in interviews'. Furthermore, '[by] representing concepts and relationships that other visual artefacts cannot depict, diagrams provide a complementary addition to conventional interview stimuli' (*ibid*).

A key component of the research design for this thesis was to create a method which ensured that participants had the means to express their views and experiences both verbally and non-verbally – an aim which diagramming techniques and 'graphic elicitation' are well-suited to. As Crilly *et al* (2006: 341) state, '[this] process of *graphic elicitation* may encourage contributions from interviewees that are difficult to obtain by other means […] and that are difficult to achieve by verbal exchanges alone.' Another vital facet of developing this method was to bring materials into the interview context that participants could interact with. Inviting participants to engage in diagramming can be referred to as 'participatory diagramming', which is a particularly suitable method in the context of complex and potentially sensitive subject matter. As Kesby (2000, in Crilly *et al* 2006: 342) asserts, 'where the topics discussed are of a sensitive nature the use of *participatory diagramming* may be especially effective in

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of visual images in publications to demonstrate the realities of pornographic content to audiences – an approached utilised also in Dines' (2011a) anti-pornography public lectures.

providing rich and nuanced data on subjects' experiences'. Following consideration of the literature on ethics in pornography research, elicitation techniques and participatory diagramming, Spectral Elicitation was developed as a technique tailored to meet the unique requirements of this particular empirical research and the Research Questions.

2.2.1.2 Spectral Elicitation in the Interview Context

Spectral Elicitation is a tactile elicitation method involving the construction of textual Spectrums, utilised for the purpose of investigating Research Questions 2 and 3 (as outlined in Chapter 2.1) in the interview context. This Section provides an overview of the use of the Spectral Elicitation method in the interview context, detailing the Spectrum materials, the research aims of the Spectrums, and how the Spectrums were utilised in the interview context.

The Spectral Elicitation method utilised in the interview context required the following resources, which will be discussed in detail throughout this Section:

- **Category Cards**, responding to remit of the research aims of the particular Spectrum;
- **Text Cards**, containing descriptions of behaviours or content pertaining to the research aims of the particular Spectrum;
- **Blank Text Cards**, for participants to contribute their own descriptions of behaviours or content; and
- **A digital camera**, for the researcher to photographically record the Spectrums constructed by participants in the interview context.

As outlined in Table 1 below, five textual spectrums were developed for the purpose of the research and integrated into the research design, with each Spectrum directly responding to Research Questions 2 and 3 outlined in Chapter 2.1.

Table 1: Research Aims and Themes of the Spectrums Utilised in the Interview Context

Research Question	Spectrum No.	Spectrum Title
RQ2: What is the range of pornography viewed by young people?	Spectrum I	Pornography Viewing Habits and the Production of Sexually Explicit Materials
	Spectrum II	The Range of Pornography Viewed by Young People
RQ3: What are young people's views on the legal regulation of pornography?	Spectrum III	Materials Young People think are Currently Criminalised
	Spectrum IV	Materials Young People think Should be Criminalised
	Spectrum V	Materials Young People think Should be Regulated

As outlined above in Table 1, the five Spectrums responded to Research Questions 2 and 3, with Spectrums I and II designed to investigate Research Question 2 – 'What is the range of pornography viewed by young people?' – and Spectrums III, IV and V designed to investigate Research Question 3 – 'What are young people's views on the legal regulation of pornography?'. A Spectrum responding to Research Question 1 – 'How do young people define pornography?' was not integrated into the research design, as the research sought to investigate young people's definitions of pornography articulated by those participating in the research, outwith the structures of existing definitions.

Each of the five Spectrums utilised Category Cards, which established the remit of the research aims of the particular Spectrum, as outlined below in Table 2.

Table 2: Category Cards for Spectrums

Spectrum No.	Category Card 1	Category Card 2
Spectrum I – Pornography Viewing Habits and the Production of Sexually Explicit Materials	"Never"	"Often"
Spectrum II – The Range of Pornography Viewed by Young People	"Never"	"Often"
Spectrum III – Materials Currently Criminalised	"Currently Criminalised"	"Not Currently Criminalised"
Spectrum IV – Materials that Should be Criminalised	"Should be Criminalised"	"Should not be Criminalised"
Spectrum V – Materials that Should be Regulated	"Should be Restricted / Unavailable"	"Should be Unrestricted / Available"

Table 2 above outlines the Category Cards used for each of the five Spectrums utilised in the interview context. These Category Cards were established as the peripheries of the Spectrums, and placed approximately 1 metre apart on a table in the interview space, as demonstrated below in Figure 2.

Figure 2: Position of Category Cards, Participant and Researcher
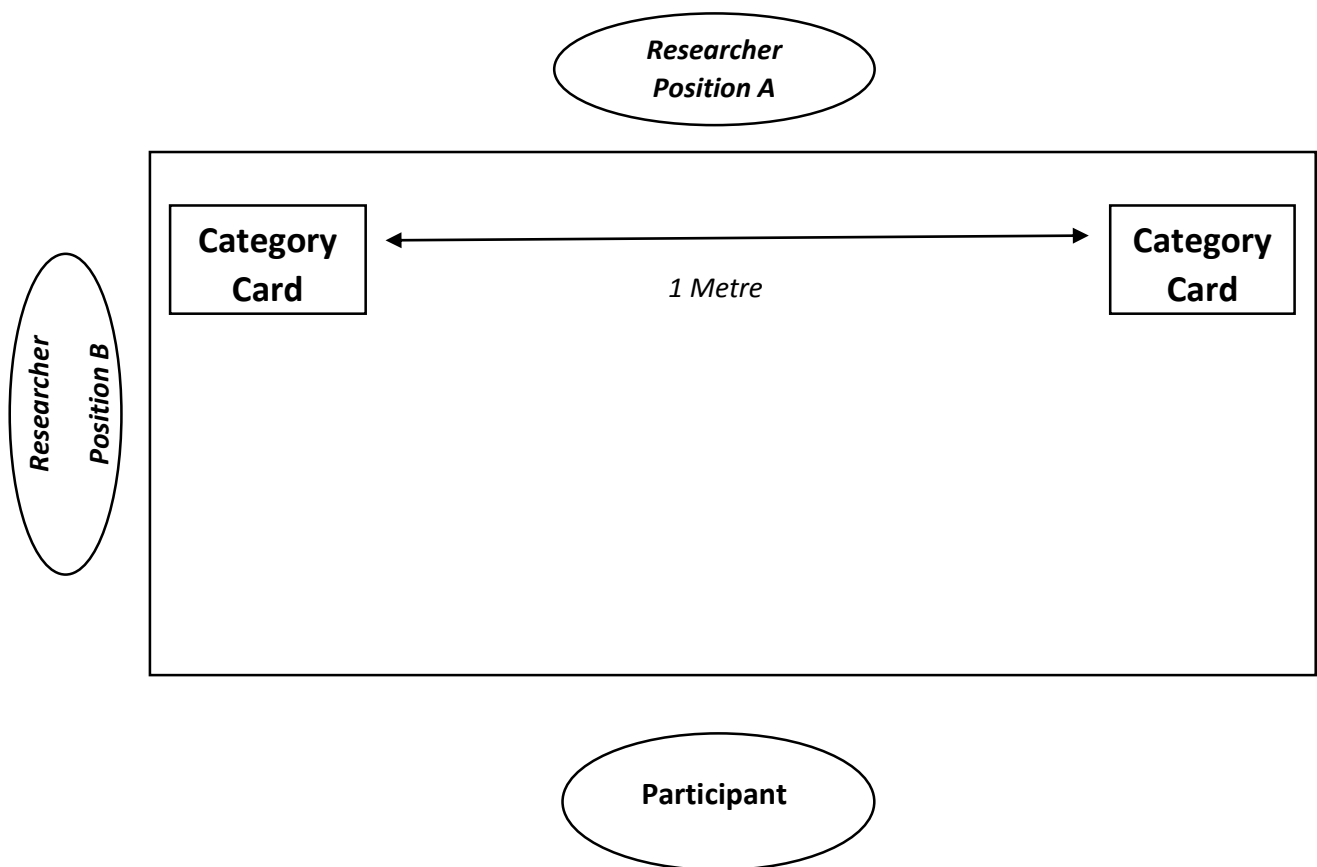
As illustrated by Figure 2, the Category Cards were placed approximately 1 metre apart on a table in front of the seated participant. The researcher was situated at either Positon A or Position B, which depended on the layout of the particular interview space.

Two sets of Text Cards were prepared prior to the interviews, the content of which are detailed fully in Appendix 1. Table 3 below provides an overview of the content of the Text Cards for each of the five Spectrums utilised in the interview context.

Table 3: Content of the Text Cards

Spectrum No.	Content of Text Cards	No. of Text Cards	
		Prepared by Researcher	Contributed by Participants
Spectrum I	Set 1 - Descriptions of: Pornography viewing habits; and the production and sharing of sexually explicit materials.	23	6
Spectrums II, III, IV and V	Set 2 - Descriptions of: Sexual activities as depicted in pornography.	30	10

As outlined above in Table 3, there were two sets of Text Cards prepared for the Spectrums. Set 1 contained descriptions of pornography viewing habits and the production and sharing of sexually explicit materials, which were utilised for Spectrum I. For Set 1, the researcher prepared 23 Text Cards prior to commencing the interviews, with 6 additional Text Cards being contributed by participants throughout the fieldwork process. Set 2 contained descriptions of sexual activities as depicted in pornography (including mainstream, niche and criminalised depictions), which were utilised for Spectrums II, III, IV and V. For Set 2, the researcher prepared 30 Text Cards prior to commencing the interviews, with 10 additional Text Cards being contributed by participants throughout the fieldwork process. Of the 10 Text Cards participants contributed to Set 2, one Text Card was not taken into subsequent interviews[20]. Appendix 1 details the content of the Text Cards utilised in the interview context in full.

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[20] Contributed by Lola, the Text Card contained the term "Incest" and was removed from the Spectrum materials by the researcher after Lola's interviews. The researcher removed this Text Card as it may have carried connotations of child sexual abuse images, which were outwith the remit of this research. Moreover,
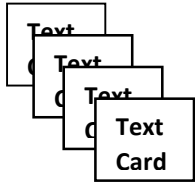
The content of the Text Cards prepared by the researcher was drawn from existing theoretical literature on pornography and content analyses, current legislation (the *CJIA 2008* and *CJL(S)A 2010*) and from discussions with academic colleagues and peers. Through describing common pornographic depictions, the Texts Cards served a vital purpose. As Jensen and Dines (1998: 67) argue, 'discussion of theoretical and policy issues is often disconnected from the reality of the material'. In order to engage in useful discussion of pornography it is vital to '[ground] it in an understanding of the material that exists in the world' (Jensen and Dines 1998: 67). Inviting participants to 'sort through word-, phrase- or picture-cards may elicit ideas that would otherwise remain unarticulated', alongside promoting general discussion (Gaskell 2000: 50). This can be attributed to the notion that 'such stimuli bring factors external to the interview situation into view, prompting response to "not now" moments, "not here" events, and "not present" actors' (Törrönen 2002: 348).

By detailing pornographic depictions, the content of the Text Cards utilised within the Spectral Elicitation attuned to the 'reality' of pornographic content, whilst responding to the ethical dilemmas of including pornographic images in pornography research discussed previously in Section 2.2.1.1. Moreover, the Text Cards enabled the research to explore young people's perspectives on a wide range of pornographic depictions in great depth and specificity. This is particularly significant because, as discussed in Chapter 1.2.1, the majority of previous empirical research has investigated young people's experiences within generalised and assumed notions of the pornographic content the research seeks to address.

The Text Cards were placed and arranged within the peripheries of the Spectrum by the participants, as illustrated in Figure 3 below.

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as the Spectrum Materials already included a Text Card stating "Infantilisation / People depicted as being underage", there was scope within the interviews for participants to discuss infantilised materials.

Figure 3: Placement of Text Cards
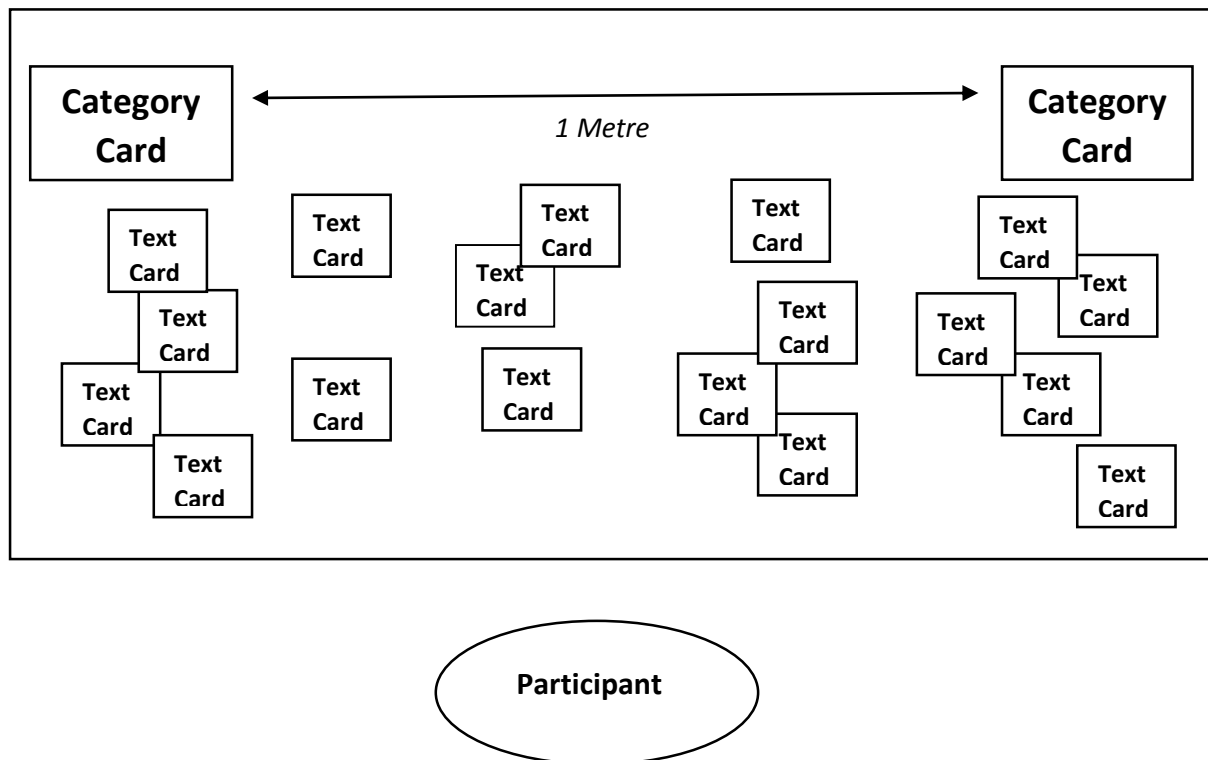
In terms of the structure of the Spectrums, it was agreed by participants that one or more times per week constituted 'Often', while Text Cards placed beside 'Often' constituted several times per month. Text Cards towards the middle of the Spectrum indicated activities participants had occasionally engaged in or pornographic content they had occasionally viewed, while the Text Cards placed near to 'Never' indicated activities they had seldom participated in or pornographic content they had seldom viewed. Naturally, the activities and pornographic content on the Text Cards participants placed under 'Never' referred to activities the participants had never knowingly engaged in or content they had never knowingly viewed.

Figures 4 and 5, as shown below, are examples of fairly typical patterns of participant responses to the Spectrums. David's Spectrum I, Figure 4, demonstrates solidly activities he has never participated in, moving into gradations of the frequency of activities from seldom to often:

Figure 4: Example Spectrum I – David
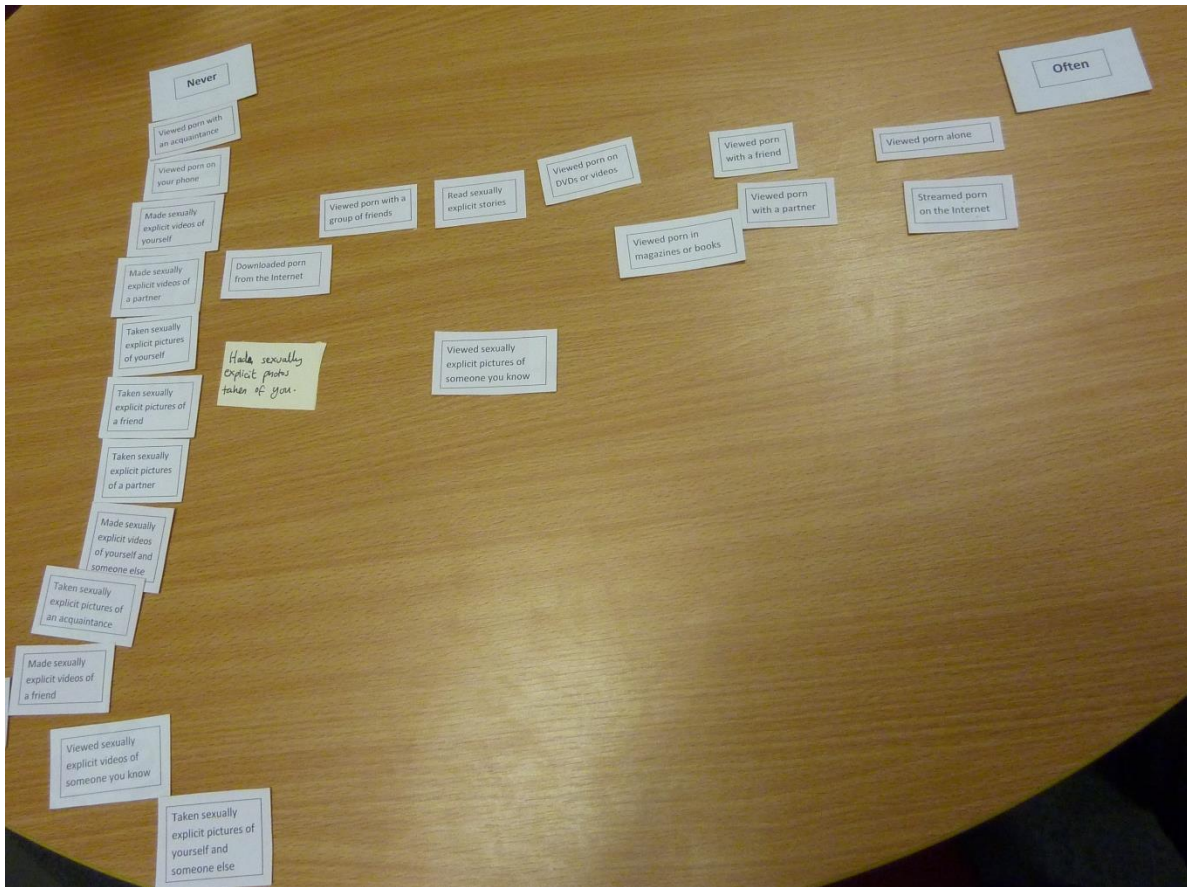
In the context of Spectrum II, Neil's response (Figure 5) shows clear demarcations between five categories denoting frequency of access to each particular type of pornographic content. Such clear categorisation in the structure of Figure 5, as shown below, was a pattern many participant responses to Spectrum II adhered to.

Figure 5: Example Spectrum II – Neil
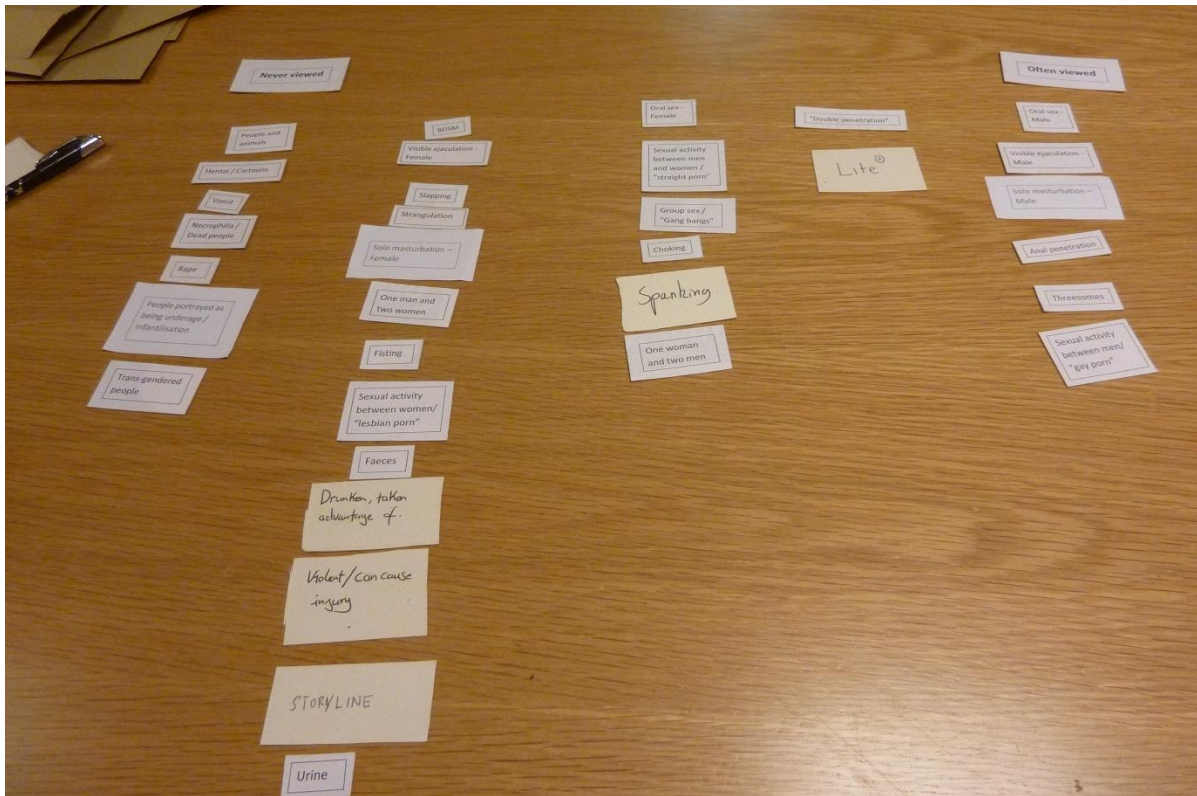
In order to record the data, the Spectrums constructed by participants in the interview context were photographed by the researcher, as demonstrated by Figures 4 and 5 above. In some instances, the participants themselves used the researcher's camera to photograph the Spectrums they had constructed, and – if they expressed a desire to do so – the participants were encouraged to actively engage in this method of recording the data they contributed to the research. Photographs taken of the Spectrums were briefly reviewed in the interview context to ensure the images were clear and encompassed the entirety of the Spectrums, with a further review being undertaken by the researcher following the interview. When taking and reviewing photographs of the Spectrums, the researcher ensured that there was no identifying information contained within the images, such as identifying images of participants or logos that may identify the institutions or organisations involved in participant recruitment and/or the interview sites. The photographs of the Spectrums constructed by participants were filed alongside the interview transcripts, as – alongside functioning as elicitation tool within the empirical research – the Spectrums generated from the Spectral

Elicitation method were employed to analyse the empirical research data (outlined in Section 2.6.2).

At the end of each interview, participants were invited to provide feedback on the Spectral Elicitation method. All participants responded very positively to the method, with participants describing the method as "offering a good talking point" and as being "helpful", "a good way of ordering a lot of information" and even "kind of fun". The Spectral Elicitation method enabled the physical manipulation of complex ideas and experiences (as discussed previously in Section 2.2.1.1 as an aim in designing the method), as Violet explained:

> "[The Spectrums] were really helpful actually, because you think of things you wouldn't normally think of by yourself, and it facilitates it, by being able to actually pull [the card] out – physically – and move ideas around… as an interview technique it works really well." – *Violet, 22, heterosexual female and frequent consumer of pornography*

For Violet, by facilitating exploration of the Research Questions in a tactile manner, the Spectrums enabled participants to "physically… move ideas around", while Francis stated that he thought the method was effective because "it's not like a concrete thing" and the ability to construct the Spectrums accommodated "wildly different viewpoints" in the context of discussing legal regulation. Both David and Tom expressed that the Spectrums were a useful way to visually arrange their views and experiences, as David explains:

> "[The spectrums] were really good. It was really good to get prompted, because there's so much of it, it's hard to narrow it down and keep it on your mind, so the cards really worked." – *David, 18, gay male and frequent consumer of pornography*

Like David, Tom stated that "I thought [the Spectrums were] a good way of ordering a lot of information in a short space of time". Participants responded positively to contributing their own Text Cards to the Spectrums, with Francis stating: "the opportunity to write your own and that gets carried on into the rest of the study as well is very good". Many of the young people reflected that contributing their own Text Cards to the Spectrum materials empowered them as active agents contributing to the research, whilst enabling them to feel part of a larger dialogue on pornography among many young people across the empirical

research – discussed also by some of the young people as a motivating factor for participating in the empirical research interviews (outlined in Section 2.3.3).

2.3 Participants

This Section discusses the young people participating in the empirical research. Beginning with an outline of participant recruitment in Section 2.3.1, Section 2.3.2 then discusses the demographic profiles of the participants. This Section closes with 2.3.3, which outlines young people's self-reported motivations for participating in academic research investigating young people's perspectives on pornography and its legal regulation.

2.3.1 Participant Recruitment

This Section outlines the participant recruitment process for the research. This Section begins by outlining the procedure for recruiting participants for the empirical research, and then outlines the changes necessarily made to the participant recruitment procedure.

A total of eightteen participants were recruited from 8 different sites across the North-East of England and the central belt of Scotland between December 2011 and November 2012, with the interviews taking place in tandem with the participant recruitment process. Participants resident in England and Scotland were recruited to reflect the research focus on both Scottish and English 'extreme' pornography provisions of the *CJIA 2008* and the *CJL(S)A 2010* (outlined in Chapter 1.3).

Table 4 below outlines the sites participants were recruited from, the type of contact, the method of initial contact made by the researcher with the recruitment sites, the method of distributing the call for participants, and the number of participants recruited from each site.

Table 4: Participant Recruitment Sites

Recruitment Site	Type of Contact(s)	Method of Initial Contact with Recruitment Site	Method of Distributing Call	No. of Participants Recruited
University Mailing Lists, North-East England	Heads of Departments; Academic Staff; Administrative Staff	E-mail.	Call for participants distributed via mailing lists on behalf of the researcher. Prospective participants contacted the researcher by e-mail.	5
Snowballing, Scotland and North-East England	Academic Colleagues; Peers	E-mail, face-to-face.	Call for participants distributed by academic colleagues and peers on behalf of the researcher. Prospective participants contacted the researcher by e-mail.	4
Gender-based Violence Young People's Group, Scotland	Head of Organisation	E-mail (referral by academic colleagues).	Head of organisation forwarded contact details of group members who expressed an interest in participating	2
Feminist Group, Scotland	President of Group; Group Administrator	E-mail.	Call for participants posted on social media group on behalf of the researcher. Prospective participants contacted the researcher by e-mail.	2
Social Centre, Scotland	Head of Centre	Face-to-face.	Poster. Prospective participants contacted the researcher by e-mail.	2
Call Distributed by Academic Colleagues, North-East England	Head of Department; Academic Staff	E-mail.	Call for participants distributed via e-mail on behalf of the researcher. Prospective participants contacted the researcher by e-mail.	1

Feminist Group, North-East England	President of Group	E-mail.	Call for participants distributed by President via e-mail list. Prospective participants contacted the researcher by e-mail.	1
Sex-Positive Group on Social Media, Scotland	Group Administrator	E-mail	Call for participants posted on social media group on behalf of the researcher. Prospective participants contacted the researcher by e-mail.	1
	Total:			**18**

As outlined in Table 4, a total of 18 participants were recruited for the empirical research from eight different sites in the central-belt of Scotland and the north-east of England. Initial contact was made with the heads or presidents of the organisations and institutions, as stipulated by the ethical requirements for this research (outlined in Chapter 2.4). The researcher sent a letter explaining the research and seeking permission to recruit participants and an FAQ (Frequently Asked Questions) about the research (see Appendix 2), and a copy of the call for participants the researcher was seeking to distribute (see Appendix 3). Once the contacts had reviewed and approved the call for participants, the call was distributed using the methods outlined above in Table 4, such as via mailing lists, e-mails sent by academic colleagues and peers on behalf of the researcher, posters, and on social media.

In addition the recruitment sites outlined above in Table 4, contact was made with a further 10 sites in the North East of England and the central-belt of Scotland. While the majority of these sites did not participate in the recruitment process (as discussed further in Section 2.3.1.1 below), an LGBT organisation in Scotland distributed the call and a potential participant contact the researcher, however no further contact was received from this individual.

2.3.1.1 Changes to Participant Recruitment Process

Changes to the participant recruitment procedure were made throughout the participant recruitment process in order to respond to the issues with the recruitment sites initially planned for the empirical research and the low rate of participation in the research. Table 5 outlines the recruitment sites initially planned for recruiting participants and the number of participants to be recruited from each site.

Table 5: Planned Recruitment Sites

Recruitment Site	No. of Participants
Further Education College (Scotland)	4 – 5
LGBT Organisation (Scotland)	4 – 5
University (England)	4 – 5
Young People's Outreach Organisation (England)	4 – 5
Total:	18 – 20

As Table 5 demonstrates, the research was initially designed to recruit participants from four main sites in England and Scotland. These sites were a further education college, and LGBT organisation, a University and a young people's outreach organisation, with four to five participants to be recruited from each site.

As the institutional ethical requirements for this research stipulated that the researcher must make initial contact with and gain consent from gatekeepers in order to recruit participants (discussed further in Chapter 2.4), this meant that the recruitment of participants for the research relied entirely upon the resources, time and staffing available to the organisations and institutions to assist the researcher by approving and distributing the call. The process of securing a University as a participant recruitment site was successful, with several Heads of Departments at Universities in the north east of England agreeing to distribute the call for participants after having reviewed the letter and FAQ provided by the researcher. Although the researcher did initially secure an LGBT young people's organisation and a further education college as participant recruitment sites, contact from the members of staff allocated to assist the researcher gradually decreased and therefore attempts to recruit participants from these sites became untenable. Table 6 below provides an overview of the prospective participant recruitment sites contacted and the outcomes of this contact.

Table 6: Contacted Participant Recruitment Sites and Outcomes

Site Contacted	Type of Contact(s)	Method of Contact	Outcomes
Further education college, Scotland	College Principal, then referred to a member of teaching staff.	Letter to Principal; E-mail contact with member of teaching staff.	Initial interest and agreement to distribute the call by Principal, administration and teaching staff. Sustained contact with the allocated member of teaching staff for a number of months to arrange the distribution of the call and for the researcher to visit the staff and students. Contact gradually less frequent until no further contact from the institution.
LGBT young people's outreach organisation, Scotland	Chair of Board, then referred to a member of service delivery staff.	Letter to Chair of Board; E-mail contact with member of service delivery staff.	Initial interest and agreement to distribute the call by Chair of Board. One member of staff allocated to organise distributing the call and a visit from the researcher. Initial e-mail exchange. No further contact from the organisation, despite repeated attempts at contact.
Young people's outreach organisation, Scotland	Member of Service Delivery Staff.	E-mail and telephone.	Contact with a member of service delivery staff and call for participants circulated at team meeting. No further contact from the organisation.
LGBT young people's group, North East England	President of Group.	E-mail.	No reply.
National young women's organisation	Head of Regional Board.	Letter.	No reply.
National young people's organisation	Head of Regional Board.	Letter.	Request declined by letter.

Young people's outreach organisation, North East England	Head of Organisation.	Letter and e-mail.	No reply.
Universities, Scotland	Head of Department(s).	E-mail.	No reply.
Universities, North East England	Academic, Pastoral and Support Staff.	E-mail.	Initial contact yet no call distributed. No reply in one instance.

As outlined above in Table 6, contact was made with 9 further sites (in addition to those outlined previously in Table 4) with a view to recruiting participants for the empirical research. As a result of the stipulations placed on the research for recruiting participants and the limited contact from allocated staff at the recruitment sites, the participant recruitment process suffered substantial delays, as discussed further in Section 2.4. For this reason, new sites for recruiting participants had to be identified and secured, as outlined and discussed previously in Section 2.3.1 and Table 4.

2.3.2 Participant Demographics

This Section presents the demographic profiles of the young people participating in the research, outlining the age, gender identity, sexual orientation, relationship status, nationality and country of residence, ethnicity, religion, and occupation of the participants[21]. This data was collected using the Demographics Form in Appendix 4, which participants were invited to complete following the substantive interview dialogue. In addition, Appendix 5 outlines the demographic profile of each individual participant, alongside the site from or method by which they were recruited to participate in the empirical research.

As outlined in Table 7 below, participant ages ranged from eighteen to twenty five, with the average age of participants being 22.4 years old. Over half of participants were aged between 23 and 25 years, while just under half of the sample were aged between 18 and 22 years, with the youngest participant (David) having turned 18 years old a week prior to Interview I.

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[21] Demographic information was collected from participants pertaining to their parental status. No participants declared that they were parents, and so parental status is not discussed in this Section. One participant – Lola – was a fulltime carer for a younger sibling.

Table 7: Age of Participants

Participant Ages in Years	Number	Percentage
18	1	6%
19	1	6%
20	2	11%
21	1	6%
22	3	17%
23	5	28%
24	0	---
25	5	28%
Average Age:	**22.4 years old**	

In terms of gender identity, the sample was fairly evenly split between males and females, with a slightly greater number of female-identified participants than male, as outlined in Table 8 below. One participant – Sam – did not declare any gender identity on the Demographics Form, and so the gender-neutral pronoun 'they/them' is used to refer to Sam throughout this thesis. None of the participants declared that they were transgender and/or intersex, nor did any participants declare a non-binary gender identity.

Table 8: Gender

Gender of Participant	Number	Percentage
Female	9	50%
Male	8	44%
No Answer	1	6%

In terms of sexual orientation, over half of the participants identified as heterosexual or straight, as outlined in Table 9 below. Around two thirds of male participants identified as

gay, bisexual or queer, while four female participants identified their sexuality as being other than heterosexual. Two participants provided a narrative account of their sexual orientation, stating that they choose intimate relationships not on the basis of a prospective partner's gender identity. Due to this, the term 'pansexual' is used within this thesis to describe their sexual orientation – a term which encompasses the broadness of these participants' descriptions of their sexual identities.

Table 9: Sexual Orientation

Sexual Orientation of Participant	Gender			Total Number	Percentage
	Male	Female	None Declared		
Bisexual	1	1	0	2	11%
Gay	3	0	0	3	17%
Heterosexual / Straight	3	5	0	8	44%
Queer	1	1	0	2	11%
Questioning	0	1	0	1	6%
Other:	--------------	----------	--------------	------------	---------------
'In love with people, not genders'	0	0	1	1	6%
'I like people'	0	1	0	1	6%

As outlined in Table 10 below, just over three quarters of the participants described themselves as being white. One participant described themselves as being Asian and another participant described themselves as being mixed race. Two participants declined to declare an ethnicity and the sample did not include any participants who described themselves as being black or of any other ethnic backgrounds (other than those outlined in Table 10).

Table 10: Ethnicity of Participants

Ethnicity of Participants	Number	Percentage
Asian	1	6%
Black	0	---
Mixed Race	1	6%
White	14	78%
No Answer	2	11%

Almost half of the participants stated that they were in relationships, while just under a quarter of participants described their relationship status as being single, as outlined in Table 11 below. One participant was married and another engaged to be married (both in heterosexual relationships), while no participants were Civilly Partnered or engaged to be so.[22] One participant described their relationship status as being polyamorous, meaning they engage in a non-monogamous mode of relationships.

Table 11: Relationship Status of Participants

Relationship Status of Participants	Number	Percentage
Single	4	22%
In a relationship	8	44%
Engaged	1	6%
In a Civil Partnership	0	---
Married	1	6%
Polyamorous	1	6%
No Answer	1	6%

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[22] At the time of conducting the empirical research in 2012, 'Civil Partnership' was the accurate legal term for same-gender marriage.

The sample was almost evenly split between those resident in England and those resident in Scotland, as outlined in Table 12 below. Of those resident in England, the majority of these participants described themselves as being from England, while a quarter of this group described themselves as being from outside the UK. Of those resident in Scotland, half of these participants described themselves as being from England and just under half of this group described themselves as being from Scotland. Overall, almost sixty per cent of the total participants described themselves as being from England, while just under a quarter of the participants describing themselves as being from Scotland. One participant described themselves as being from Wales, while none of the participants described themselves as being from Northern Ireland and/or Ireland. A small number of the participants described themselves as being from outside of the UK (having been born and/or lived in countries such as Finland, Holland, India and Kazakhstan).

Table 12: Nationality and Residency of Participants

Country of Residence and Nationality of Participant	Number	Overall Percentage of Participants
Resident in England		
From England	4	22%
From Wales	1	6%
From Scotland	0	---
From UK	0	---
From Outside of UK	2	11%
No Answer	1	6%
Total:	**8**	**44%**
Resident in Scotland		
From England	5	28%
From Wales	0	---
From Scotland	4	22%
From UK	1	6%
From Outside of UK	0	---
No Answer	0	---
Total:	**10**	**56%**

As outlined in Table 13 below, over two thirds of the participants described themselves as being atheist, agnostic, anamist or non-religious. A small number of participants described themselves as being religious, with just over ten per cent of the participants describing themselves as Christian or Catholic and one participant describing themselves as being a "non-strict" Muslim.

Table 13: Religion of Participants

Religion of Participant		Number	Percentage
Agnostic		4	22%
Anamist		1	6%
Atheist		6	33%
Christian:			
	Christian	1	6%
	Catholic	1	6%
Muslim		1	6%
Non-Religious		2	11%
No Answer		1	6%
Not Sure		1	6%

Table 14 below outlines the occupation of participants. Over half of participants were in education (predominantly at undergraduate or postgraduate level), while just over a third of participants were in full or part-time employment. One participant was self-employed and one participant was a full-time carer for a family member.

Table 14: Occupation of Participants

Occupation of Participant		Number	Percentage
In Employment		5	28%
Self-Employed		1	6%
Student:			
	Further Education College	1	6%
	University	8	44%
University Student & In Employment		2	11%
Unemployed		0	---
Other:			
	Carer for family member	1	6%

2.3.3 Motivation to Participate

This Section discusses young people's self-reported motivations to participate in the research. Participants' motivations are discussed throughout this Section in order of the frequency the specific motivation was reported by participants. At the beginning of Interview I, each participant was invited to discuss what factors drew them to participating in the research. The purpose of collecting this data from participants was threefold:

1. To ascertain participants' motivations for participating in the research.
2. To initiate on-topic interview dialogue.
3. To allow participants the opportunity to discuss any immediate thoughts on the topic, and thus ensure the interview dialogue remained within the thematic focus of the Research Questions and resulting empirical research design.

Participants reported a number of motivations to participate, with a desire to increase their understanding of the topic of pornography being the most frequently occurring motivation,

followed by a desire to contribute to the dialogue around pornography. Participants also expressed generalised interests or personal interests in the area of pornography as a motivation to participate (such as their own personal experiences of viewing pornography), with some participants also participating due to concerns around the impacts of pornography. A handful of participants also discussed altruistic motivations and a desire to learn more about empirical research practice in general as motivating factors in their choice to participate in the research. Politicised views or outlooks and criticism of societal norms also featured in young people's self-reported motivation to participate, with these individuals participating in order to both contribute to and challenge existing knowledge in the academic area of pornography.

A desire to **increase understanding** was most frequently discussed as a motivating factor by participants. This manifested in two predominant ways. Firstly, participants wanted to increase personal understanding of pornography in their own lives. Within this, some participants indicated that the interview experience would be their first instance of considering pornography in-depth. Sam, for example, was motivated to participate in order to "take stock of what [pornography] means in my own life". Willow and Steve, however, explained their motivation to participate was, in part, to assist them with their aim of developing a framework through which to understand pornography on societal and personal levels, indicating that a process of critical analysis and reflexivity was already ongoing in their lives.

Secondly, some participants were motivated by a desire to increase other's understanding of pornography. David states that he was "shocked" to discover "the reality of porn and the structures behind it" through his involvement in a gender-based violence youth project. Within this motivation, a desire to **contribute to dialogue** was expressed as a motivating factor by both Charlie and David, framed within a perceived current lack of dialogue around pornography. Indeed, Charlie explained that "the subject is under-explored", adding "I want to contribute to any debates" on the topic. Charlie stated that "there is not enough discussion about porn", reasoning that "people are shy about talking about porn, and I don't think that has to be the case". As a self-disclosed frequent consumer of pornography, Charlie's main motivation for participating centres upon a perceived need for the foregrounding of experiential and topical dialogue on pornography; interaction which Charlie believes people

are usually "shy" about undertaking. David explains he was motivated to participate in order to "get the information out there" and "let people know what it's like for young people in the world today", in order to "give other people the shock factor that I got when I found out the reality of porn and the structures behind it".

In conjunction with a variety of other motivations, most participants expressed **general interest** as a motivation to participate as the research, often stating that the research seemed "interesting". In addition to this, many participants indicated **personal interest** as a main motivating factor, with pornography being an issue they currently consider or an issue they would like to explore, either solely in the interview context or more generally in their lives. Two participants – Lola and David – also cited their pre-existing involvement in a gender-based violence youth project as a main motivating factor.

Altruistic motivations featured regularly in participant responses, manifesting in two predominant ways. The first altruistic motivation relates to a participant's desire to assist in the research, often occurring in conjunction with a personal interest or involvement in research more generally. As Jane, a postgraduate researcher of education, explained: "When I saw the topic I was thinking that not so many people would come, and I had myself many interviews and people were quite nice to come and help me… so I was thinking it would be nice to participate – make your life easier!".

The second altruistic motivation relates to a participant's desire to increase common awareness or understanding of young people's views and experiences of pornography, as discussed previously in the context of participant desires to contribute to dialogues on pornography. A third altruistic motivation was expressed by Sam, Steve, and Willow, which contains elements of both **altruism** and the desire to **increase understanding**. These participants viewed their participation in the research as a mutually beneficial process, wherein both participant and researcher gain knowledge, insight, and understanding.

Some participants expressed inward or outward **concern about the impact of pornography** as a motivating factor for participation. This manifested in two predominant ways. Firstly, some participants expressed inward concern about the impact of pornography on themselves. Sasha stated "I think [pornography] has affected me", while Steve discussed

wanting to consider how much pornography he had consumed, in the context of his "very changing feelings about porn". Secondly, a handful of participants expressed outward concern about the impact of pornography on other people or on a larger socio-cultural level as a motivating factor. Willow's concern stems from her view that "female-bodied people" are subject to "objectification and intense sexualisation from a very young age", coupled with what Paul (2005) would described as increasingly 'pornified' culture, as Willow explains: "The things that were considered porn when I was younger now seem to be just very normal material that [young people] are exposed to… even if you're not a consenting consumer". Willow explains that her views on pornography come "definitely from a personal anger", stating that "porn shapes people's views on women and how they see women". In tandem to being a consumer of pornography, Sarah acknowledges there "are some big issues with it", while David expresses "shock" at having gained insight into realities of pornography.

Interest in research processes and practice was a motivating factor for some participants. Two participants, Hayley and Tom, expressed an explicit desire to learn about research processes as their main motivating factor. A further two participants, Jo and Neil, expressed a couple of motivations, among which an interest in research was one: Jo had previously conducted an undergraduate research project on sex education and porn, and also expressed motivations attributable to personal interest, while Neil expressed predominantly altruistic motivations, but also indicated an interest in undertaking a postgraduate research degree. Despite an interest in research being a main motivating factor for Hailey and Tom, they discussed their personal experiences of pornography at length during the interview, indicating that academic interest alone was not their sole motivating factor; but the sole motivating factor they *chose to disclose* at the start of Interview I. As discussed below in the context of personal consumption of pornography, several factors may be attributable to this selective initial disclosure.

A third of participants indicated that their motivation for participating related, at least in part, to their own **personal consumption of pornography**. As the interviews progressed it manifested that all participants had purposefully consumed pornography at some time. The non-disclosure of personal pornography consumption at the beginning of Interview I may be attributable to several factors, such as difficulties with verbal disclosure, and participant concerns about the researcher's perception and positionality.

Within this, Willow explained that she was motivated to participate to examine and express her personal attempts to "reconcile things that I really disagree with sometimes being erotic". Willow's statement indicates a clear conflict between her *views* on pornography and her *embodied reception* and consumption of pornography. For many participants, a conflict between disclosing objective interest and disclosing personal experience was evident; indicating some participants may have felt that initial disclosure of pornography consumption may have devalued their prerogative to objective or academic interest. For participants who both consume or have consumed pornography and critically analyse pornography, the former may be seen to undermine the latter. Consider the Cartesian dichotomy between mind and body (see Descartes 1968); the analytical mind is placed hierarchically above embodied experience, and the two are incompatible in Cartesian thought. Therefore, the analytical motivation is preferential to the embodied motivation, and the two were at least initially incompatible for some participants.

Personal politics was a motivating factor for some participants, manifesting in discussion of feminism. Francis, Lola, Sarah and Willow used the term 'feminist' or discussed feminism. Willow described herself as being "feminist", while Sarah described herself as both "feminist" and "sex positive". Lola is involved in a young people's pornography project and describes herself as having been "kind of brought up to do it", attributing that she has been "surrounded by feminist people" throughout her life. Lola, Sarah, and Willow's use of the term 'feminist' in this context indicates that they perceive pornography to be an issue aligned to feminism; indeed, Willow states that pornography "is a big area of feminist discourse". Francis, however, framed his participation as contributing to a wider critique on "how cultures are becoming increasingly detrimental", stating: "Pornography is a good point to start interrogating that", as an "aspect of feminism" and an "aspect of [his] own thought processes".

Francis was among several participants who expressed **criticism of or disagreement with societal norms** as a motivating factor. Andrew framed his motivation within a critique of societal attitudes to sex, stating the "prevailing attitude towards sex in modern society is still a really unhelpful and destructive one", within which he regarded pornography to be a factor. Likewise, Francis, as discussed previously, perceived pornography to be just one aspect of greater cultural harm and detriment people are simultaneously subject to and agent within.

Willow is critical of what she perceives as increasing "sexualisation" and "objectification" of "female-bodied people", while stating that "it's very difficult when you're not agreeing with the mainstream".

What became clear from participants' accounts of their motivations to participate in the research was that while participants approached the research with a variety of perspectives and motivations, all participants had an active interest in exploring issues pertaining to pornography and contributing their views and experiences to the research. As it is uncommon to encounter in-depth qualitative research that engages directly with young people on the issue of pornography (as discussed in Chapter 1.2), the empirical research offered a unique opportunity for young people to discuss these issues and have their voices listened to by not only the researcher within the interview context, but also those conducting future research in this area. As indicated by participants' desire to contribute to dialogue and challenge societal norms, participants – especially those from non-academic backgrounds – had high expectations of the capacity of the research to influence and shape societal perceptions and policy directions. This perspective further acts as testament to the few opportunities available to young people to voice their views on and experiences of issues pertaining to pornography – an issue this research was designed to investigate.

2.4 Ethics

This Section outlines the ethical considerations that informed the empirical research design and implementation. The ethical framework for the research was in direct accordance with the University's Statement of Ethical Practice and was approved and signed-off by the Director of Postgraduate Research at the School of Applied Social Sciences in January 2012.

Appropriate steps were taken to protect the anonymity and confidentiality of the participants in accordance with the University's Statement of Ethical Practice. These steps were undertaken to safeguard the confidentiality of the participants' records and to ensure compliance with the requirements of the Data Protection Act. These steps were:

1. Contact details (names, e-mail addresses, and phone numbers) of participants were stored in a locked file and on a password-protected Word document, to which only the researcher had access;

2. All electronic data was stored on a password-protected computer, to which only the researcher had access;

3. Pseudonyms were used for participants when recording, storing, transcribing, analysing, and presenting the empirical research data, and when discussing the research with the research supervisors, academic colleagues and at academic conferences;

4. Transcripts of the interviews were fully anonymised, with any possible identifying factors being carefully changed or omitted from such accounts.

The pseudonyms used for participants were chosen by the participants themselves while participating in the interviews, in order to provide participants with agency over how they were recorded and represented in the research. Ensuring confidentiality and anonymity for participants was vitally important to the research process, as Lee (1993: 97) explains:

> 'Telling another about those aspects of one's self which are in some way intimate or personally discrediting… is a difficult business. It becomes less so where privacy and anonymity are guaranteed and when disclosure takes place in a non-censorious atmosphere.' (*Ibid*)

In the context of discussing sensitive issues, 'privacy, confidentiality and a non-condemning attitude are important because they provide a framework of trust' (Lee 1993: 98). Creswell (2003: 66) advises that data, once analysed, needs to be kept for a reasonable period of time, while Seiber (1998) recommends a period of five to ten years. Data will therefore be securely stored for at least five years following the submission of the thesis.

As it is necessary to 'adequately inform participants of the nature and requirements of the empirical research' (Esterberg 2002: 93) when conducting ethically sound research, the researcher fully explained the purpose of the research and the content of the interviews to the participants. When prospective participants contacted the researcher by e-mail, the researcher replied to the e-mail with information about the research and the content of the interviews (as in Appendix 6). Prospective participants were also invited to request a copy of the interview questions should they wish to review them prior to participating in the research. Two participants requested a copy of the research questions and both of these participants then participated fully in the interviews.

Participants were aged 18 years or over and were not recruited from sites that worked specifically with vulnerable people, and were therefore able to provide their informed consent to participate in the research. Consent was recorded using the Informed Consent form in Appendix 7. Participants read and signed an Informed Consent form at the beginning of each interview. As will be discussed in Section 2.5, almost half of the participants' interviews were conducted on two separate occasions and in these instances an Informed Consent form was read and signed by participants at the beginning of *each* interview. It was not necessary for participants to take part in the research without their knowledge or consent, as the research utilised interviews to gather research data and informed consent was provided by participants in this context.

When distributing the call for participants, the researcher stated that only the first five respondents to the call (from that particular site) would be invited to participate in the research (as evidenced in Appendix 3). This clause was entered into the call for participants to inform participants that there was a possibility that should they express an interest in the research they may not be invited to participate in an interview if the response was too large. This measure safeguarded against any potential harms caused to prospective participants by being 'turned-away' from participating in the research, by making prospective participants aware of the process of recruiting participants for the research and the limitations on the numbers of participants that could be recruited. In practice, however, no prospective participants were turned away from participating in the empirical research interviews.

There were two main criteria for exclusion from participating in the research. Firstly, prospective participants were to be excluded from participating in the research if they were aged below 18 years old or aged over of 25 years old, as these ages were outwith the age-range of the research. Secondly, participants would be excluded from participating in the research if they resided in the prison service, a young offenders' unit, or a psychiatric facility, due to potential incapacities to provide informed consent and (if applicable) to avoid any legal ramifications if the young people's offence history pertained to pornography.

A full University Fieldwork Risk Assessment was undertaken for both the participants and for the researcher prior to conducting the interviews. In terms of the participants, two potential discomforts were identified, as detailed below in Table 15.

Table 15: Risk/Discomfort Assessment for Participants

Risk/Discomfort	Probability	Seriousness	Precautions
Participants uncomfortable with or distressed by matters discussed	Moderately possible	Moderate: Dependant upon nature of discomfort or distress	• Fully briefing participants prior to each interview; • Encouraging participants to stop or take breaks if and when required, and; • Preparing and distributing Information Sheets detailing relevant sources of support and information.
Participants feeling withdrawn or introspective directly following the interview	Fairly unlikely	Low	• Fully briefing participants prior to each interview; • Encouraging participants to participate in interviews on days with few other commitments; • Preparing and distributing Information Sheets detailing relevant sources of support and information, and; • Providing the opportunity for participants to withdraw from the research within 6 months of the interview.

As outlined above in Table 15, two potential discomforts for participants were identified: the possibility that participants may become uncomfortable with or distressed by the matters discussed in the interviews, and; the possibility that participants may feel withdrawn or introspective following the interviews. Due to these potential discomforts, a number of precautions were put in place in order to reduce the likelihood of participants experiencing

discomfort. The researcher ensured that the participants were fully briefed prior to participating in the research, which took place over e-mail (as discussed previously) and in person at the beginning of each interview. Participants were encouraged to participate in the interviews on days when they had few other commitments to ensure they had the space and time to reflect upon the interview. This required flexibility from the researcher and an understanding and positive attitude if participants cancelled or rescheduled interviews at short-notice due to other commitments.

At the beginning of each interview, participants were encouraged to take breaks or stop the interview if and when required. Participants were also given the opportunity to withdraw from the research up to 6 months after participating the interviews, which was outlined in the Informed Consent form (Appendix 7) and reiterated to participants at the beginning of each interview. The researcher prepared two Information Sheets providing local and national sources of support and information – one each for the central-belt of Scotland (Appendix 8) and for the north east of England (Appendix 9) – which were given to participants at the end of each interview.

Another way in which precautions were taken to minimise discomforts to the participants was 'to bring positive interpersonal skills to the empirical research setting' (Esterberg 2002: 93). The researcher ensured their approach and manner in correspondence with participants and in the interview context was both personable and professional. As hierarchy is often implicit within the research-participant dynamic, the researcher strove to ensure the participants felt at ease, safe and valued as active agents in both the interview context and the research process. The Pilot Interview Process (discussed in Chapter 2.5.2 and Appendix 11) served to further hone the researcher's interpersonal skills in the interview context, by receiving feedback from the participants and by listening back to the interview tapes while transcribing the interviews. Furthermore, the researcher transcribed the interviews during the entirety of the fieldwork process – conducting both in tandem during the same time-period – which allowed the researcher to constantly reflect and build upon their interpersonal skills in the interview context.

In terms risk assessment for the researcher, two potential hazards of the research were identified through the University Fieldwork Risk Assessment pertaining to lone working and

the urban environment. The potential consequences of these hazards were isolation due to lone working and vehicles and assault due to travelling to and from interviews in the urban environment. Due to these potential hazards and consequences, the researcher introduced a number of controls to reduce potential hazards when undertaking the research:

1. Urban environment: Exercising cautiousness; conducting interviews during daylight hours; carrying a mobile phone at all times, and; informing a colleague (such as the researcher's supervisor) of the interview site and the time the interview is expected to end.

2. Lone working: Conducting interviews in a pre-booked room within the premises of an organisation or institution; carrying a mobile phone at all times, and; informing a colleague of the interview site and the time the interview is expected to end.

Once the above steps were put into place, the potential risks and hazards involved in conducting the empirical research was rated as being '1 – Low risk'.

Conducting this formal Risk Assessment and conducting subsequent informal risk assessments during the fieldwork process was invaluable, as will be discussed in the context of the interview sites discussed in Section 2.5.3. Likewise, attuning to ethical considerations enabled the researcher to make ethically sound judgements during the fieldwork process. In one instance, a Text Card contributed by a participant was removed from the Spectrum Materials as it had to capacity to allude to child sexual abuse images (discussed in Section 2.2.1.2). Another instance of applying ethical judgement occurred when a young person participated in Interview I and then made no further contact with the researcher with regards to Interview II nor did they withdraw. Although this participant had signed the Informed Consent Form and participated fully in Interview I, the researcher – informed by the ethical considerations for this research – decided not to include the data from this young person's interview in the thesis.

Due to the low rate of participation in the research (as discussed in Chapter 2.3.1) and the time commitment required from participants, the researcher introduced compensation for participants' time. Participants were compensated in the form of a gift voucher for high-street shops with a value of £20. The addition of compensation into the research design was

approved by the Director of Postgraduate Research, and the three young people who had already participated in the research prior to the introduction of the compensation were contacted in order to offer them the same compensation as would be received by future participants. Financial inducements (other than reasonable expenses and compensations for time) were not offered to participants.

In addition to the ethical safeguards discussed previously, additional ethical stipulations were put in place by the Director of Postgraduate Studies pertaining to permissions from participant recruitment sites. These stipulations stated that 'permission from any agency/institution you go through to access participants' was required prior to beginning participant recruitment at that site. This permission was to be applied for by the researcher by contacting gatekeepers – such as the head, president, principal or chair of the organisation, institution or agency, or the chair or president of a community group – with these permissions being granted by these gatekeepers and then (in most cases) passed onto an appropriate colleague or group member to respond to. In practice, these stipulations made for the research necessitated undertaking five main steps in order to gain permissions to recruit participants and to distribute the call for participants:

1. Contact gatekeeper (Head/Principal/Manager/Chair/President) of participant recruitment site requesting permission to recruit participants from the organisation, institution, agency or group (see Appendix 2 for an example letter and FAQ).

2. Gatekeeper of participant recruitment site must approve the use of the organisation, institution, agency or group as a participant recruitment site for the research.

3. Once the gatekeeper approves the organisation, institution, agency or group to be used as a participant recruitment site, the information provided by the researcher is then passed on to an appropriate colleague or group member. If the organisation, institution, agency or group is small the initial contact will make contact to arrange distribution of the call for participants.

4. The colleague or group member then contacts the researcher to discuss and arrange participant recruitment.

5. Call for participants distributed.

The stipulations put in place requiring permissions from the managerial or 'gatekeeping' level of the participant recruitment sites significantly hindered the recruitment of participants for the empirical research. In the majority of cases, the process did not reach Stage 5 – distribution of the call for participants – as contact was lost with the gatekeepers, staff or members during the process of correspondence and gaining permissions. In some instances (such with the further education college in Scotland, as discussed previously in Chapter 2.3.1), this process took a number of months and yielded no outcomes in terms of distributing the call for participants or recruiting participants.

While it is of imperative importance to consider and constantly revisit the ethical requirements of any research as discussed throughout this Section, these stipulations were arguably too rigid for the research they were applied to, for two main reasons. Firstly, the participants were aged over 18 and not recruited from vulnerable populations, and were therefore legally able to give consent to participate in the research without the additional permissions of a gatekeeper. The researcher also ensured that none of the sites contacted with a view to recruiting participants cited working with vulnerable young adults as a key element of the organisation or agency's practice. Moreover, the target demographic of young people – those aged 18 to 25 – were within the legal age-limit of purchasing, consuming and even participating in pornography. Secondly, it was made clear to organisations, institutions, agencies and groups at all points of contact that the recruitment sites, interview sites and participants would not be named in the research and that all identifying information would be omitted from the research and any subsequent publications.

Alongside these factors, the stipulations put in place for this particular research had detrimental effects upon the progress of the data-collection phase of the research. The data-collection phase of the research was scheduled to take place over a 6 month maximum timeframe, yet due to the researcher undertaking the five stages outlined above, the data-phase of the research lasted for 1 year. These rigorous ethical stipulations did, however, ensure that the procedures for the research were absolutely robust and safeguarded the data-collection phase from staffing changes or re-structuring within participant recruitment sites, as once permissions were obtained from the sites the research could continue regardless of any changes in the staffing configuration of the particular site.

2.5 Data Collection

This Section outlines the data-collection phase of the research. Beginning with Section 2.5.1, this Section outlines the interview design for collecting the empirical research data and discusses the interview design in practice. Section 2.5.2 then presents an account of the Pilot Interviews and outlines changes made to the interview design as a result of this process. Finally, Section 2.5.3 outlines the interview sites utilised during the data-collection phase of the research and discusses the process of locating and securing interview sites for the empirical research.

2.5.1 Interview Design

As discussed in Chapter 2.2, this research utilised qualitative semi-structured interviews conducted with 18 young people aged 18 – 25. These interviews were conducted by the researcher on a one-on-one basis with participants in a face-to-face format. Two empirical research interviews to be conducted with each participant were designed in order to investigate the Research Questions in Chapter 2.1, as outlined in Table 16 below.

Table 16: Research Question and Interview Structure

Research Question	Interview No.
RQ1: How do young people define pornography?	Interview I
RQ2: What is the range of pornography viewed by young people?	
RQ3: What are young people's perspectives on the legal regulation of pornography?	Interview II

As Table 16 demonstrates, Interview I was designed to investigate Research Questions 1 and 2, while Interview II was designed to investigate Research Question 3. Interview questions were designed to respond to these Research Questions and sub-questions as outlined in Chapter 2.1, which are detailed fully in the researcher's Interview Guide in Appendix 10.

The purpose of designing two interviews to be conducted with participants was to:

1. Provide participants greater opportunity to become acquainted with and build up a rapport with the researcher, and;
2. Provide participants the opportunity to contemplate the thematic content between Interviews I and II.

It was imperative that participants engaged in both Interview I and Interview II to ensure a full set of data (responding to all three of the Research Questions) was elicited with each participant. During the course of the data-collection phase of the research it became apparent that some of the young people actively seeking to participate in the research were unable to commit to attending two interviews on two separate occasions. This, coupled with the initially low rate of participation (as discussed previously in Chapter 2.3), instigated a change in the Interview Design during the data-collection phase of the research. Instead of requiring that participants attend two interviews, the participants were given the option whether they wished to attend one or two interviews with the researcher. The outcome of this change to the Interview Design is outlined in Table 17 below.

Table 17: Interview Formats

Interview Format	No. of Participants	Percentage of Participants
Interview I and Interview II conducted in one sitting	9	50%
Interview I and Interview II conducted on separate occasions	8	44%
Interview I and Interview II conducted on same day, with a break in between interviews.	1	6%
Total Interviews: 28		

As outlined in Table 17 above, half of participants opted to participate in both Interview I and II in one sitting. Just under half of participants chose to participate in the Interviews I and II on separate occasions. The time between these interviews depended on the participants' availability and was on average a period of 1 week.

Interviews conducted on separate occasions were markedly longer in total (average duration of 145 minutes) than interviews conducted on the same occasion (average duration of 98 minutes), as outlined in Table 18 below.

Table 18: Interview Format and Duration

Interview Format		Average Duration	Shortest Duration	Longest Duration
Interview I and II conducted in one sitting		98 minutes / 1:38	70 minutes / 1:10	163 minutes / 2:43
Interview I and II conducted on separate occasions	Interview I	74 minutes / 1:14	54 minutes / 0:54	108 minutes / 1:48
	Interview II	71 minutes / 1:11	58 minutes / 0:58	93 minutes / 1:33
	Total	145 minutes / 2:25		

As Table 18 demonstrates, the average durations of interviews conducted on separate occasions were generally longer in total than the average durations of interviews conducted in one sitting. These differences in the average interview durations may suggest that conducting the interviews on two separate occasions may have a greater capacity to facilitate in-depth dialogue with participants on the Research Questions and related themes than interviews conducted in one sitting. Considering this, while the volume of data collected from those who participated in one combined interview was *lesser* than the volume of data collected from those who participated in two separate interviews, the data collected from all interviews provided rich and nuanced findings on young people's perspectives on pornography and its legal regulation. Moreover, by introducing a change in the Interview Design that was led by the requirements (such as time or travel constraints) of the young people participating, this alteration to the Interview Design both responded to the

practicalities of young people's lives and contributed to remedying the emerging issue of low rates of participation in the empirical research.

2.5.2 Pilot Interviews

This Section outlines the pilot interview process, conducted prior beginning the main data collection phase of the research. It is generally considered best practice in empirical research to conduct a pilot of the planned empirical research (Davies 2007; Simmons 2001), in this case pilot interviews. Simmons (2001: 102) recommends two preliminary steps prior to conducting a full-scale empirical research project: firstly, a review of the Interview Design by colleagues, which was conducted in the case of this research by the researcher's academic supervisors, and; secondly, piloting the interview 'on a small sample drawn from the same population as the main study' (*Ibid*). For this research, there were three main purposes to conducting the pilot interview process prior to commencing the empirical research proper:

1. *Design*: To investigate whether the Interview Design was structured in a way that flows well in an empirical research context;
2. *Pitch*: To investigate whether the Interview Questions have clarity and are understandable for participants; and
3. *Style*: To investigate whether the interviews are delivered in such a way that cultivates dialogue and fosters an environment where participants feel at ease.

The above factors were integral aims of conducting the Pilot Interview process and are discussed fully in Appendix 11.

The pilot interview process was conducted during the spring of 2012. The call for participants was distributed via a poster placed in a social centre in Scotland, which was approved by the managers of the space. The researcher sought to recruit two participants for the pilot interviews with, as per Simmons' (2001: 103) recommendations, 'similar characteristics to those of the population to be studied'. Two prospective participants within the age-range of the empirical research – Steve and Willow – contacted the researcher. Both participants were briefed about the purpose of the research and the content of the interviews via e-mail, and arrangements were made to conduct interviews.

The participants were invited to provide feedback at the end of each interview regarding their views on and experiences of the interviews in terms of the overall structure and design, the Interview Questions, the Spectral Elicitation method, and the interview delivery. This feedback, alongside the researcher's own experience of the interviews, informed amendments made to the Interview Design. As detailed fully in Appendix 11, three main changes were made to the approach, design and delivery of the interviews as a result of the Pilot Interview process:

1. Approach to arranging interviews: Interviews I and II to be pre-arranged with participants prior to commencing the interviews, to ensure participation in both interviews.

2. Interview Design: In Interview I, 'Spectrum I: The Production of Sexually Explicit Materials and Pornography Viewing Habits' to be conducted first and 'Spectrum II: Types of Pornography Viewed by Young People' to be conducted second.

3. Interview delivery style: Continue to brief participants at the beginning of each interview regarding content and structure, and to be directive towards the planned content and structure if required.

The Pilot Interview process was invaluable to ensuring 'the language and phraseology [the researcher] is using is language and phraseology that [the] research subjects will understand and be able to relate to' (Davis 2007: 48) and ensuring that the Interview Design is clear, interesting and accessible to participants.

2.5.3 Interview Sites

This Section discusses the sites utilised for conducting interviews. This Section begins by outlining and discussing the interview sites utilised for the research, with Section 2.5.3.1 then outlining the changes made to the interview sites during the fieldwork process. A total of seven interview sites were utilised for the purpose of this research, as outlined in Table 19 below.

Table 19: Interview Sites

Interview Site	No. of Participants
Private Meeting Room – University Department(s), North-East England	6
Private Meeting Room – University Department(s), Scotland	5
Private Meeting Room – Gender-based Violence Young People's Group (Facilitating Organisation's Offices), Scotland	1
Private Meeting Room – Participants' Place of Work, North-East England	1
Private Meeting Room – Young People's Outreach Organisation, Scotland	1
Participants' residence, North East England / Scotland	2
Researchers' residence, Scotland	2

As detailed in Table 19 above, the empirical research interviews took place at seven of different sites across the north east of England and the central belt of Scotland. With a total of eleven participants, the primary interview sites were private meeting rooms within University departmental premises in both Scotland and north east England, which were pre-booked prior to each interview by the researcher through administration staff working within these departments. These sites were usually available to be booked by the researcher outside of academic term-time (during June, July and August 2012) when the rooms were least required by the Universities and, as a result, the spaces were both quiet and discreet for participants.

In the case of interviews with three participants, the interview sites were sourced and booked specifically to cater for the requirements of the individual participant. Interviews with one participant (Hayley) took place in a pre-booked private meeting space within their place of employment in the north east of England as they were unable to travel to the researchers'

main interview sites due to personal and work commitments. Meanwhile, two interviews with one participant (David) took place in a private meeting room within offices of the organisation in Scotland that facilitates the gender-based violence young people's group, of which the participant was a member. This interview site was secured and booked by the researcher in liaison with the manager of the organisation and the participant. A further two interviews were conducted with one participant (Lola) who was recruited through the same gender-based violence young people's group in Scotland. This participant, however, was unable to travel to the organisations' offices and so requested an interview site in a city nearer to where they resided. In this instance, the interviews were scheduled during academic term-time and so the University departmental premises were unavailable. Due to this, the researcher contacted a number of organisations (such as young people's outreach organisations and gender-based violence charities) in order to secure and book a suitable interview site. Following contact with a number of potential sites, the researcher was referred to a young people's outreach organisation in Scotland who provided a private meeting space for both of the interviews with Lola. Following these interviews, the organisation was unable to offer further use of their space as their private meeting spaces were in high demand from both service providers and service users.

As indicated in the above table, interviews with two participants took place in participants' private residences and interviews with a further two participants took place in the researcher's private residence. These participants were recruited through colleague and peer snowballing, and the participants were therefore colleagues or peers of the researcher's academic colleagues and peers. All four participants were given the option of using a private meeting space as an interview site, such as University departmental premises. The participants opted to be interviewed at their own residence or the researcher's residence did so due to limitations of their time, ability to travel, and comfort levels regarding participating in potentially sensitive research in an unfamiliar environment. Informed by the University Fieldwork Risk Assessment undertaken prior to the data-collection phase of the research (as outlined in Chapter 2.4), an informal risk assessment was undertaken for conducting interviews in the participants' or researcher's private residence with participants that are already known to colleagues or peers of the researcher. As a result of this informal risk assessment, it was decided that conducting interviews in private residences with colleagues

or peers of the researcher's colleagues or peers carried low risk, provided that the researcher carried a mobile phone and informed a colleague (such as the researcher's supervisor) of their whereabouts when conducting interviews.

Both the Risk Assessment discussed in Chapter 2.4 and conducting informal risk assessments when required were central to making decisions regarding interview sites. In one instance, the researcher had made arrangements to meet a participant for an interview at University departmental premises in the north-east of England. This participant was recruited via a University mailing list and had stated in their initial e-mail to the researcher that they were due to leave the country for a prolonged period the day after the scheduled interview, and therefore the scheduled interview was the only opportunity to interview this participant – which generated a sense of urgency, especially given the initially low rate of participation (as discussed in Section 2.3.1). Shortly before the interview was due to begin, the participant e-mailed the researcher requesting that the researcher attend the participants' private residence for the interview instead of the pre-arranged site of the University departmental premises. The informal risk assessment informed the researcher that as the participant had not been recruited through snowballing (via academic colleagues or peers of the researcher), it presented a higher risk for the researcher to attend the participants' residence. As a result of the risk assessment, the researcher contacted the participant and explained that they were unable to travel to the participant's residence for the interview due to the short-notice of their request. In this instance, conducting an informal risk assessment was invaluable when making decisions pertaining to interview sites during the fieldwork process, in order to ensure the safety and comfort of the researcher.

2.5.3.1 Changes to Interview Sites

Changes were made to the interview sites initially planned for the empirical research, which occurred in tandem with the changes to participant recruitment sites as discussed previously in Chapter 2.3.1.1. As the research initially planned to recruit the participants from four main sites, it was generally intended that the sites from which the participants were recruited would also function as interview sites (provided the organisations and institutions were able to offer their facilities for this purpose). However, as some of the primary participant

recruitment sites initially planned in the research could not be secured, changes to the interview sites were necessitated, particularly the interview sites in Scotland.

The lack of main participant recruitment sites – and therefore interview sites – in Scotland presented a real challenge to the researcher in terms of locating and securing appropriate private meeting spaces for conducting the interviews. Contact was made with a number of organisations and institutions in Scotland in order to secure appropriate interview sites, the result of which being that a University, a young people's outreach organisation and a gender-based violence organisation across two Scottish cities offered their premises for use as interview sites. However, there were limitations on the researchers' access to these sites, with the University offering their premises only during the summer vacation period (July and August 2012) and the young people's outreach organisation being able to offer their space for two interviews only (during March 2012). As response to the call for participants was generally low due to the issues encountered in securing participant recruitment sites (discussed in Sections 2.3.1.1 and 2.4), the interviews were arranged and conducted as and when young people expressed a desire to participate (as opposed to all of the fieldwork being conducted during a set timeframe), which necessitated a need for interview sites to be available at any point as required throughout 2012. Despite the challenges that arose in securing interview sites in Scotland, every young person who expressed an interest in participating was interviewed during the course of the empirical research.

In the case of conducting interviews with participants based in the north-east of England, regardless of the participant recruitment site the primary interview sites utilised were University departmental premises, which was a site that offered private meeting rooms and was easily bookable by the researcher. Although the sample was gathered from Universities, community groups and calls distributed by academic colleagues in the north-east of England, the majority of participants were willing and able to attend interviews in the University premises.

2.6 Data Analysis

This Section outlines the data analysis procedures for analysing the empirical research data gathered through the in-depth empirical research interviews with young people discussed throughout this Chapter. Section 2.6.1 outlines the process of analysing the data pertaining to Research Question 1 – 'How do young people define pornography?', while Section 2.6.2 outlines the process of analysing the data pertaining to Research Questions 2 and 3 (as outlined in Chapter 2.1) and discusses the utilisation of the outcomes from the Spectral Elicitation method (as outlined in Chapter 2.2.1) in analysing the empirical research data pertaining to these Research Questions.

Data analysis in qualitative research is, as Denzin (1989) asserts, a creative process, not a mechanical one. Thus, data was analysed through processes commonly used in qualitative research, utilised to 'reveal potential meanings', as opposed to 'rigidly applying preestablished codes to [the] data' which may 'limit potential insights' (Esterberg 2002: 158). Coffey and Atkinson (1996) suggest that qualitative coding involves three basic procedures:

    a) 'noticing relevant phenomena,

    b) collecting examples of these phenomena, and

    c) analysing those phenomena in order to find commonalities, differences, patterns, and structures.' (Coffey and Atkinson 1996: 29)

To perform the above process, data is analysed first through open coding (or low-level codes) followed by a more in depth process of focused coding (or high-level codes) which is borne from a 'grounded theory' approach (Corbin and Strauss 1990), wherein the researcher works with the data and develops meanings.

The data analysed for the purpose of this thesis was drawn directly from transcripts of the interviews conducted with the participants and from the outcomes of the Spectral Elicitation method utilised in the interview context. The empirical research data was analysed using two main methods – manual coding and the utilisation of the qualitative data analysis software (NVivo versions 9 and 10) informed by the 'grounded' or 'grounded theory' (Glaser and Strauss 1967; Cobin and Strauss 1990) approach to data analysis and by 'start list' (Miles and Huberman 1994) approach to data analysis respectively. Alongside these main data analysis

method, gridline analysis of the Spectrum outcomes was also employed, as outlined in Section 2.6.2.

Table 20 below outlines the Research Questions investigated, the approach to analysis and the resulting analysis methods employed to analyse the empirical research data.

Table 20: Research Questions, Data Analysis Approach and Analysis Methods

Research Question	Analysis Approach	Analysis Methods
RQ1: How do young people define pornography?	'Grounded' approach	- Manual Coding
RQ2: What is the range of pornography viewed by young people?	'Grounded' and 'Start list' approach	- Manual Coding - Qualitative Data Analysis Software (NVivo) - Gridline Analysis of Spectrum Outcomes
RQ3: What are young people's views on the legal regulation of pornography?	'Grounded' and 'Start list' approach.	- Manual Coding - Qualitative Data Analysis Software (NVivo) - Gridline Analysis of Spectrum Outcomes

As outlined above in Table 20, the data analysis methods used for each of the Research Questions (as outlined in Chapter 2.1) depended on the appropriate approach to analysing each particular Research Questions, which is outlined in Sections 2.6.1 and 2.6.2.

2.6.1 Data Analysis: Research Question 1

For Research Question 1 – 'How do young people define pornography' (as outlined in Chapter 2.1) – a 'grounded' or 'grounded theory' (Glaser and Strauss 1967; Corbin and Strauss 1990) approach to data analysis was employed to generate findings grounded within the empirical data, with the data analysis being conducted using manual coding. As discussed previously in Chapter 2.2, the research aimed to investigate young people's definitions of pornography outwith the framework of existing definitions in the legislation and literature to contextualise the findings of the research within young people's own definitions of pornography. As a result, the data was analysed in the context of the categories generated by participants' own definitions, whilst being informed by and contributing to the existing categories in the literature, as Corbin and Strauss (1990) explain:

> 'Category names can come from the pool of concepts that researchers already have from their disciplinary and professional reading, or borrowed from the technical literature, or are the words and phrases used by informants themselves.' (Strauss and Corbin 1990)

These 'category names' were the words and phrases used by participants when defining pornography.

The researcher gathered participant responses pertaining to their definitions of pornography and compiled the data into one document on Microsoft Word. This data pertaining to definitions was then split into single statements and phrases, such as "material of a highly erotic nature" and "intended to be sexually stimulating", and entered into data tables. These sentiments and phrases formed the low-level codes. The researcher then manually reviewed all of the low-level codes within the data tables and generated high-level codes from the categories identified in the data, an example of which is presented below in Table 21.

Table 21: Example Manual Coding Table – Low and High Level Codes

Low-Level Codes	High-Level Codes
porn is intended to be erotic or sexually stimulating in some way	Produced for the Purpose of Sexual Arousal
made for a specific purpose, which is to arouse people sexually	Produced for the Purpose of Sexual Arousal
images that are deliberately designed to arouse you	Produced for the Purpose of Sexual Arousal
if it's been created to produce some sort of sexual feeling	Produced for the Purpose of Sexual Arousal
pornography is explicitly made to titillate	Produced for the Purpose of Sexual Arousal
set up with the view in mind for somebody to be sexually aroused by it	Produced for the Purpose of Sexual Arousal

As illustrated above in Table 21, the low-level codes were comprised of the descriptive definitions of pornography drawn from the interview transcripts. Similarities between the low-codes were then identified and grouped together into categories constituting high-level codes – in this case, pornography being defined as materials produced for the purpose of sexual arousal. This process of generating high-level codes from the empirical research data was repeated for all low-level codes in the interview transcripts. The high-level codes formed the findings on how young people define pornography that emerged from the data, which were then discussed in the frequency by which the codes occurred in the data (as in Chapter 3).

In order to attain the data pertaining to the severity of criminal offences discussed in Chapters 5.1 and 5.2, participant discussion of offences was analysed and ranked according to participant views on the severity of the offences and what should therefore be legislated against. For example, Juan stated:

"Producing it – I think in rank-order that production is the worst, distributing it is the second worst, and possessing it is the least worst, but still bad…" – Juan

Juan's response was then ranked by attributing numerical values to each offence. In this case, Juan stated that production is the "worst" offence and a numerical value of 1 was attributed to production, a numerical value of 2 attributed to distribution and a numerical value of 3 to production. This process was repeated for each participant and the numerical values totalled, with the offence with the lowest total numerical value being what participants would primarily legislate against (in this case, production), the offence with a middle-range total numerical value being what participants would secondarily legislate against (distribution), and the offence with the lowest total numerical value being what participants would be less likely to legislate against than production and distribution offences (in this case, possession).

2.6.2 Data Analysis: Research Questions 2 and 3 and Spectral Elicitation Outcomes

For Research Questions 2 and 3 – 'What is the range of pornography viewed by young people?' and 'What are young people's views on the legal regulation of pornography?' (as outlined in Chapter 2.1) – both a 'grounded' approach (Glaser and Strauss 1967; Cobin and Strauss 1990) and a 'start list' (Miles and Huberman 1994) approach to data analysis were employed to analyse the empirical research data. Table 22 outlines the data analysis approach used for each element of Research Questions 2 and 3.

Table 22: Elements of Research Questions and Analysis Approach

Research Question	Spectrum No. / Theme	Analysis Approach
RQ2: What is the range of pornography viewed by young people?	Spectrum I: Pornography Viewing Habits and the Production of Sexually Explicit Materials	1. 'Start List' Approach – Predefined Categories 2. 'Grounded' Approach – Categories Generated by Data
	Spectrum II: The Range of Pornography Viewed by Young People	1. 'Start List' Approach – Predefined Categories 2. 'Grounded' Approach – Categories Generated by Data

	Initial Contacts with Pornography	'Grounded' Approach – Themes Generated by Data
	Spectrum III: Materials Currently Criminalised	1. 'Start List' Approach – Predefined Categories 2. 'Grounded' Approach – Categories Generated by Data
	Spectrum IV: Materials that Should be Criminalised	1. 'Start List' Approach – Predefined Categories 2. 'Grounded' Approach – Categories Generated by Data
RQ3: What are young people's views on the legal regulation of pornography?	Spectrum V: Regulation of Pornographic Materials	1. 'Start List' Approach – Predefined Categories 2. 'Grounded' Approach – Categories Generated by Data
	Young People's Views on Animated / Computer-Generated Materials	'Grounded' Approach – Themes Generated by Data
	Young People's Views on Preventative Capacities of Legislation	'Grounded' Approach – Themes Generated by Data

As outlined above in Table 22, both the 'grounded' and 'start list' approaches to data analysis were utilised to analyse the data pertaining to each of the five Spectrums. For analysis of the data pertaining to elements of the Research Questions that were not explored through Spectral Elicitation in the interview context, the 'grounded' approach to analysis was employed to analyse this data.

The 'grounded' approach (as outlined previously in Section 2.6.1) was utilised to analyse the empirical research data collected outwith the remit of the Spectrums, such as young people's first experiences of pornography (within Research Question 1) and young people's views on animated and computer-generated materials and the preventative capacities of legislation (Research Question 2).

The 'start list' approach entails the use of pre-defined categories for investigation. The 'start list' approach was employed to analyse the data pertaining to the themes of the five Spectrums utilised in the interview context, the process of which is outlined below:

1. 'Gridline' method utilised to generate overall figures on the data.
2. Outcomes of 'gridline' method utilised to provide framework for the analysis of interview transcripts.
3. 'Grounded' approach employed to analyse interview transcripts, utilising both manual coding and coding on qualitative data analysis software (NVivo).

The first layer of analysis involved the use of gridlines to generate overall figures relating to the elements of the Research Questions investigated by the five Spectrums, which were then inputted into Microsoft Excel to generate data tables and graphs. The second layer of analysis involved inputting the data from the interview transcripts pertaining to the elements of the Research Questions investigated by the five Spectrums and coding the data.

The pre-defined categories utilised were the frameworks drawn from the outcomes from the Spectral Elicitation method (as discussed in Chapter 2.2.1). Gridlines were superimposed upon the photographs of the Spectrums generated by participants in the interview context using the categories mutually utilised by the researcher and the participants, as illustrated in Figure 6 below.

Figure 6. Example Gridline Analysis of Spectrum Outcomes (Spectrum I – Neil)
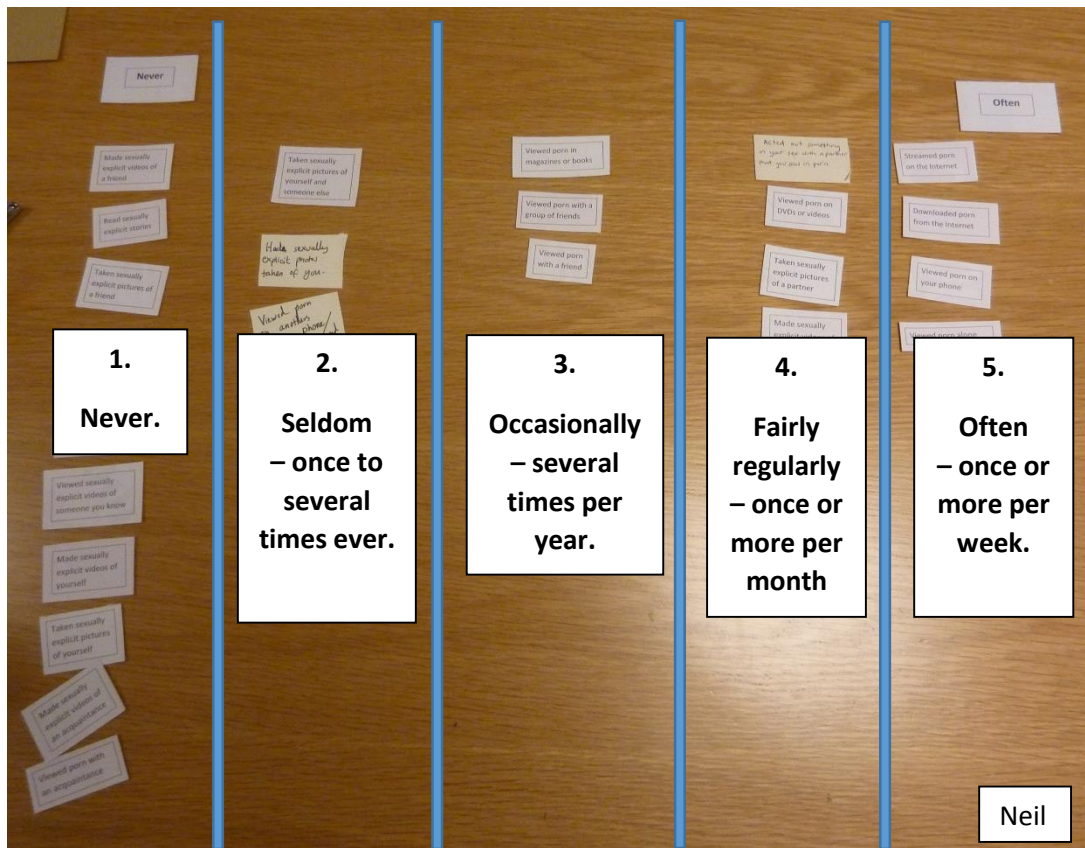
As Figure 6 above illustrates, 5 gridlines were superimposed onto the photographs of the Spectrums constructed by participants and this process was repeated for each Spectrum generated by each participant to provide a numerical overview of the frequencies by which the participants engaged in a behaviour (Spectrum I) or viewed a material (Spectrum II), or the extents to which the participants thought materials to be criminalised (Spectrum III, materials should be criminalised (Spectrum IV) and materials should be regulated (Spectrum V). This process was carried out manually and the figures generated from this process were entered into a data table on Microsoft Excel. The figures represented the outcomes of each Spectrum, providing a numerical overview of young people's experiences of and views on each of the 5 specific elements of Research Questions 2 and 3 explored using the Spectral Elicitation method in the interview context. These figures were imputed to Microsoft Excel and data tables and graphs were generated to provide overviews of the findings, as evident throughout Chapters 4 and 5 of this thesis.

The interview transcripts were entered into qualitative data analysis software (NVivo versions 9 and 10), and the 'start list' categories of the Spectrums and the categories contributed to the Spectrums by the participants were compiled. The data pertaining to each category was then grouped into themes. These themes were then systematically retrieved from the NVivo database and analysed manually, through coding of the empirical research data into 'low' and 'high-level' codes (as outlined previously in Section 2.6.1).

2.7 Reflections on the Research Process

This Section discusses the researcher's experiences of and reflections upon the research process. While overall the process of conducting the research was a fascinating and invaluable experience, two main difficulties were encountered by the researcher during the research. This Section is written in the first-person, in order articulate these reflections in the terms in which I experienced them.

The first difficulty encountered during the research was in the securing of participant recruitment sites (as discussed in Chapter 2.3) and in securing interview sites (as discussed in Chapter 2.5), in part due to the rigid ethical stipulations applied to recruiting participants for this research (discussed in Chapter 2.4). Alongside impacting upon the progress of the research, securing these sites was an arduous and difficult process, and temporarily caused concerns that the planned empirical research would not come to fruition (due to the lack of suitable numbers of participants) and the research would be subject to redesign mid-PhD.

Having identified the area of in-depth research with young people on pornography as significant and requiring further research, at times it felt as if there was a real hesitance from both the potential participant recruitment sites and from internal institutional structures to support the research. This apparent hesitance was frustrating, as this research is so necessary in part due to this exact hesitance to engage in dialogues on the content of pornography. I often thought to myself – *I'm not simply undertaking this research for flippant fun or to raise eyebrows – and it's in part this unwillingness to accept the existence, content and people's consumption of pornography that got us in this situation in the first place!* That said, the empirical research did happen, and the findings are fascinating.

The second – and most personally significant – difficulty I encountered pertained to the nature of the research undertaken, and particularly in discussing pornography in-depth in an interview context with participants. The experience carried emotional impacts and, in some instances, was very demanding. It was a real challenge to sit in a room with a stranger – sometimes, at the height of participant recruitment, three or four times over the course of a working week – and discuss the content of pornography in immense depth and detail. In one instance, where a young person spoke extensively about rape and having viewed 'real sex videos' that potentially depicted sexual violence, I found myself disassociating in the interview context and only learned the full extent of their discussions when I listened back to the interview tapes. I also travelled inter- and intra-city throughout the fieldwork, meaning the experience of the interview was often just a part of a long working day.

The knowledge that in-depth research in this area is scarce – and the resulting importance of this research to further our understandings of young people and pornography – encouraged me to continue when, at times, the content and volume of data became overwhelming. This knowledge, compounded by my experiences of conducting the research, also made me question – *is this partly why there is so little in-depth research in this area – because it can be so emotionally challenging to undertake?*

Indeed, at times I encountered views expressed by participants in the interview context that I personally felt to be problematic and difficult to listen to – and to listen to again when transcribing the interviews, and to work with intensively when analysing the data and writing this thesis. Several participants expressed views in the interview context that were supportive of rape myths (such as perceptions that there is rape and there is 'real' rape) and affinities for 'rape fantasy', 'rough' or violent pornography, while a couple of participants also expressed transphobic views or discomfort towards gay or queer sexuality. As a researcher, I was in a difficult position in these instances and it was challenging to strike a balance between my role as a researcher and my personal perspectives, experiences and identities. It was of paramount importance to ensure that the interviews fostered a non-judgemental environment for the participants and so, as a researcher, I felt it to be both unethical and antithetical to ensuring a non-judgemental environment to challenge the sentiments expressed by participants in an interview context. These instances felt disempowering, as I was at once a researcher with a responsibility towards the young people and a young person with my own perspectives on

these issues, and it was therefore challenging at times to reconcile these two identities when conducting the field research.

More positively, the experience of conducting in-depth research in this challenging area enabled me to develop and hone my interview skills and nurtured my ability to confidently discuss complex and sensitive issues. It was also personally empowering and reassuring to listen to the perspectives of other young people who were also critical of many pornographic depictions, yet were also not anti-sex nor pro-censorship.

Alongside the content of the research, during my Doctoral studies I worked as a Research Assistant on projects and publications pertaining to rape, domestic violence and 'extreme' pornography, and on service delivery with vulnerable LGBT and disabled people with a variety of intersecting issues. While incredibly rewarding and fulfilling opportunities, when carrying out these roles in conjunction with my Doctoral studies at times it was exhausting, and I therefore had to carve out a space in my life to re-energise and practice self-care.

As is the nature of Doctoral research, it is easy to feel isolated when conducting research. I was very fortunate in that if I needed to reach out and discuss issues I had encountered, my supervisors – Clare and Nicole – were only an e-mail or phone-call away. Likewise, I had a friend also conducting Doctoral research on a sensitive topic who understood the challenges this type of research can present. However, I feel that I did not make full use of this support network, predominantly due to a concern of causing distress or discomfort to others – despite these others having built their careers on researching issues pertaining to gender-based violence. In fact, despite the importance of this research, I am concerned too that *you*, the reader, may experience distress or discomfort when reading the Chapters that follow. As I said to the participants during the fieldwork: Feel free to take breaks – or even leave – at any point. There are also information sheets detailing sources of support and information in Appendices 8 and 9.

2.8 Summary: Methods and Methodology

This Chapter has presented the Research Questions (in Section 2.1), with Section 2.2 then outlining the research design and the Spectral Elicitation method developed for the purpose of the research. Section 2.3 of this Chapter discussed the recruitment and demographic profiles of participants in the empirical research, and provided an account of participants' motivations to participate in the research. Next, Section 2.4 discussed the ethical considerations necessary for undertaking the research. Section 2.5 then discussed the data collection procedures for the research, including the interview design, the pilot interview process, and the interview sites. In Section 2.6, this Chapter outlined the methods employed for analysis of the empirical research data, the findings from which will be discussed throughout Chapters 3, 4 and 5. This Chapter closed with an account of the researcher's reflections on the research process, in Section 2.7. Having established the methodology and methods utilised for the research, the following three Chapters present the findings from the empirical research investigating young people's perspectives on pornography and its' legal regulation, beginning with the findings pertaining to young people's definitions of pornography in Chapter 3.

CHAPTER 3

Findings I: How Young People

Define Pornography

Responding to Research Question 1 – 'How do young people define pornography?' (outlined in Chapter 2.1), this Chapter presents the findings pertaining to how young people define pornography. The purpose of this Chapter is twofold. Firstly, this Chapter functions as a precursor to the empirical research findings in this thesis by framing and contextualising how young people define pornographic materials, thus providing a definitional reference point for both the young people and for the findings presented in Chapters 4 and 5. Secondly, this Chapter contributes to the existing knowledge base of how to define pornography from the specific perspective of young people – most of whom, as discussed in Chapter 4.1, are also active and regular consumers of pornography.

This Chapter and the findings discussed are significant because existing empirical research with young people has not generally investigated *how* pornography is defined by the young people participating in the research (as discussed in Chapter 1.1.2) – a lacuna identified as in need of being addressed by both Livingstone (2003) and Horvath *et al* (2013). While, as discussed throughout Chapter 1, the nature of small-scale in-depth research does not necessarily lend itself to providing solid recommendations for policy formation, conducting exploratory research on consumers' definitions of pornography serves to draw out areas of particular import, whilst foregrounding the substantive findings of the thesis discussed in Chapter 4 and 5.

With Section 3.1, this Chapter begins by outlining young people's perspectives on the factors that combine to define pornography. In Section 3.2, this Chapter then presents the findings relating to young people's perspectives on the media through which pornography can manifest, such as videos and still images. Finally, this Chapter discusses the self-

reported factors influencing young people's definitions of pornography in Section 3.3, while Section 3.4 closes the Chapter with a summary of the findings discussed throughout.

3.1 Young People's Definitions of Pornography

This Section discusses how young people define pornography, presenting the findings pertaining to young people's perspectives on the factors that define pornographic content. The defining factors discussed in this Section are ordered according to the frequency each factor occurred in the data, with the defining factors being discussed in descending order from most to least frequently occurring in the data. The collective definition of pornography drawn from the findings discussed throughout this Section collectively suggest that young people define pornography as explicit materials depicting sexual activity (often involving people) produced and consumed for the purpose of sexual arousal. For some of the young people, their definitions of pornography were also mediated by paradigmatic factors or frameworks such as the involvement of capital and negative or unrealistic depictions.

The exercise of defining pornography in the interview context not only generated findings on *how* young people define pornography, but also provides a definitional reference point for the findings discussed in Chapters 4 and 5. Moreover, this exercise of defining pornography in the empirical research context encouraged the young people to consider *what* materials or content they were talking about when they were talking about pornography throughout the interviews. By enabling this consideration, the young people provided clarity regarding the materials they were discussing. With the definitions in their minds that pornography generally involved depictions of sexual activity (often involving people) produced and/or consumed for the purpose of sexual arousal they were then able to – and, indeed, did – differentiate between materials throughout their discussions in the interview context.

In addition to discussing pornography, many of the young people also discussed mainstream television programmes, films and novels containing sexually explicit content during the empirical research interviews, alongside sexualised depictions in culture and advertising. Due to the interviews having been foregrounded by discussion of definitions, the young people always differentiated between these materials and pornographic materials in their

accounts. For example, as demonstrated in Chapter 4.2.2.1, Willow clearly differentiated in her discussions which materials she accessed were pornography (within the remit of the predominant definitions discussed in this Section) and which materials were sex scenes extracted from mainstream television programmes or films. Due to this positive impact of discussing definitions in the interview context, the researcher was then able to analyse only the data that pertained to materials within the remit of the above outlined definition. As a result, the research found that by discussing definitions of pornography as a pre-cursor to discussing access, content and legislation, the young people's accounts – and the resulting findings discussed throughout this thesis – pertain to explicit materials depicting sexual activity (often involving people) produced and consumed for the purpose of sexual arousal, rather than to more generalised notions of sexualised media (as in the 2014 Zero Tolerance report).

3.1.1 People Engaged in Sexual Activity

Young people most commonly defined pornography as being materials depicting people engaged in sexual activity or simply 'sex', with all participants citing this as a defining factor. Relating back to the thematic discussions on definitions in Chapter 1.1, this defining factor can be characterised as a content-based definition. This definition always occurred in conjunction with other defining factors, indicating that young people would not define all materials depicting sexual activity as pornographic, such as those in a mainstream cinematic or educational contexts. Sarah stated that pornographic materials depict "some kind of sexual act – not necessarily penetrative sex", while a handful of other participants' definitions specified the inclusion of individual and group sexual activity within this defining factor. In terms of the depiction of people as a defining factor, Steve stated he "would define porn as a 2D image – it's a representation of somebody who isn't actually present".

Genders of those participating in sexual activity did not feature in young people's definitions, indicating that young people's definitions of pornography applied to sexual activity of and between people of any gender in any numbers. In the context of this defining factor, participants did not discuss what specific sexual acts constituted 'sexual activity', yet a picture can be built in regards to this from participants' contributions around other defining factors, such as nudity, which will be discussed later in this Section. It also can be

inferred from some of the young people's responses that the presence of people is a factor within defining pornographic materials, which has interesting connotations in the context of materials depicting animated or computer-generated (CG) representations of people or characters engaged in sexual activity. However, the fact that some of the young people specified the depiction of people may be more a testament to the most commonly available forms of pornographic content, rather than a reflection upon their perspectives on animated and CG materials, discussed further in Chapter 5.4

Young people's definitional accounts within the empirical research data did not generally stipulate the depiction of specific body parts, as in the *CJIA 2008* (discussed in Chapter 1.3). It is perhaps significant that there may a be a degree of assumed consensus as to what constitutes sexual activity, and to explicitly discuss this may be deemed unnecessary by those party to the knowledge to divulge this information to the researcher – a generational contemporary perhaps assumed to possess a shared understanding of common sexual activities portrayed in pornographic depictions. This is perhaps understandable, as when broken down into sexual acts involving specific body parts – as with the 'anus, breasts, and genitals' clause in the *CJIA 2008* – it seems as if the essence of a sentiment is lost; to boil down sexual activity as depicted in pornography into specific acts and parts negates the bigger picture. As in the specificity of injury to certain body parts in the current 'extreme' pornography provision in England and Wales, reducing the definition of pornographic depictions to specific parts of the anatomy perhaps overlooks 'the nature of the images as a whole', alongside 'their harm and impact' (McGlynn and Rackley, 2009: 249).

3.1.2 Sexually Explicit / Sexual Content

Many of the young people also defined pornography as sexually explicit materials or materials comprised of sexual content, which usually featured alongside other defining factors. This content-based defining factor bears similarity to the above 'depiction of people engaged in sexual activity', yet does not specify the depiction of people, leaving the definition open to other forms of sexually explicit content, such as animated and computer-generated materials (discussed in Chapter 5.4), alongside the written word.

The use of the term 'explicit' also differentiates this defining factor from the previously discussed factors, defined in the *Oxford Dictionary of English* as 'stated clearly in detail, leaving no room for confusion or doubt', a common use of the word being 'describing or representing sexual activity in a graphic fashion: *a sexually explicit blockbuster*' (ODE 2006). 'Explicit' featured frequently in young people's definitions of pornography, and seemed to denote not only graphic detail but a subtext of what is culturally defined as explicit, as indicated in the use of the 'sexually explicit blockbuster' example in the Dictionary. For instance, labels warning of 'explicit content' will be present on the covers of musical albums containing lyrics likely to cause offence or disgust to mainstream audiences – for example, Eminem's *Slim Shady LP*, with its reference to the rape of lesbians – yet such labels will not be found on the cover of music bearing reference to sex in general, often phrased as 'making love' or similar euphemisms, as in Craig David's 2000 album *Born to Do It*. To some extent, therefore, 'explicit' has become a synonym for 'gross, disgusting, or otherwise offensive' (to quote the *CJIA 2008*) to a mainstream audience, where issues of classification and regulation intersect with notions of collective taste and cultural principles.

When asked how she would define pornography, Jo responded that pornography is "obviously sexually explicit, but how you would define that is trickier I think considering the society we live in". Jo was among over half of all participants who discussed the difficulties in identifying a defining line between what is and is not pornography – often mediated by differentiations between 'soft-core' and 'hard-core' materials (discussed further in Section 3.1.4). Violet meanwhile defined pornography as being "*very* explicit" – with the emphasis on 'very' – indicating that 'explicit' is used here as a descriptor for negative or problematic content. Violet, alongside Jane and Willow, stated that pornography depicted acts that are "private" or "something you're not meant to see". This defining factor of pornography as being 'private' or 'taboo' will be discussed further in Section 3.1.7.

Indeed, a number of the young people characterised this notion of 'sexual explicitness' in the context of pornography as being dispassionate and crude, with Francis stating: "I think porn is quite clinical – it's close-ups of penises going into orifices – it leaves nothing to the imagination". Francis' response, among the accounts of other participants, indicates that there is a specific type of sexual explicit content and a specific set of conventions within this that constitutes a pornographic material. Such pornography is often referred to as 'gonzo';

a "sub-genre of porn" depicting 'sex scene after sex scene with no attempt at a plot or story line' (Dines, 2010: xxii), discussed in Chapters 1.1.2 and 4.2.2.1. Francis further echoes Dines' description, stating:

> "Generally, the sole purpose of pornography – even if it does have a plot going on, the plot is usually just 'How can we get to the next sex?'" – *Francis, 25, heterosexual male and past pornography consumer*

In this context, it is the almost ritualistic specific set of norms and practices that comprise what pornography is; the absence of intimacy, compassion, and interpersonal connection thus comprising an "explicit" material – reminiscent of the paradigmatic definitions offered by anti-pornography feminists, as outlined in Chapter 1.1.1.

3.1.3 Materials Produced for the Purpose of Sexual Arousal

Many of the young people also defined pornography as being materials produced for the purpose of sexual arousal, constituting both an intent-based and impact-based defining factor. This definition is in line with both the *CJIA 2008* and the *CJL(S)A 2010*, which define pornography as being 'materials produced solely or principally for the purpose of sexual arousal' (*CJIA 2008*, s.63.3; and *CJL(S)A 2010*, s.42.2.3), discussed in Chapter 1.1.1. The notion of materials being produced for the purpose of sexual arousal indicates intent to sexually arouse by the producer of such materials, as Charlie explains: "I think if there's a pornographic intention behind production of the image of film, then it has to be classed as porn". Similarly, Francis remarked that "pornography is explicitly made to titillate", while Willow stated that a pornographic material is "set up with the view in mind for somebody to be sexually aroused by it". Andrew meanwhile acknowledged that "there are images that can be arousing, but not intentionally", which he would subsequently not define as pornography.

If intent to sexually arouse was absent or low among the other intentions of the materials, for example in depictions of sexual activity in mainstream cinematic contexts, then participants did not define these as pornography. Sam, among other participants, expressed that both intent and context were key factors when defining pornography, giving the example of a scene in the film *Love Actually* which depicts two characters – who are

pornographic actors within the narrative of the film – simulating sexual acts. Sam recalled their father exclaiming "This is pornography!" upon entering the room during this particular scene, demonstrating that when taken out of context materials that have not been produced solely or principally for the purpose of sexual arousal may resemble pornographic materials. This definition aligns with the 'extreme pornography' provisions set out by the *CJIA 2008* and the *CJL(S)A 2010,* wherein a material that 'forms a part of a series of images contained in a recording of the whole or part of a classified work' is excluded from the jurisdiction of provisions (*CJIA 2008*, s.64.2), with regulatory powers in the hands of the British Board of Film Classification (see Munro 2006; Petley 2000; Petley 1999). Cinematic works such as *Shortbus* and *Destricted* are of particular significance in the context of this provision, wherein while sexually explicit the sole or principal purpose of these works is not to sexually arouse an audience.

Within this overarching defining factor, context was a factor discussed by several participants as a means to determine whether a material is pornographic. Charlie explained that "if you're going onto a subscription-based popular porn site then the material on there is presumably intended… to be erotic or sexually stimulating in some way". Steve also discussed context being a major contributing factor to what can be defined as pornographic materials:

> "I think it's probably almost a social thing, rather than the content that I'm actually seeing like how I'm seeing where it actually is or how it's presented – like, if I have to go into a shop and pull a magazine off a top shelf then that's porn, or if I have to go to an adult website then that's porn, and if it's some image of a woman on a bus stop then I still see that that might be porn, but it depends on the kind of image, and if I feel like that's not cool there, it's not the social place for it…" – *Steve, 25, queer male actively attempting to reduce consumption of pornography*

For Steve, what constitutes a pornographic image depends heavily on its context; on where, how and for what purpose the material is produced and made available. For Charlie and Steve, materials that are available through a designated pornographic space, such as a pornographic website or a top-shelf magazine, are clearly definable as being pornography. As Steve observes, however, the placement of sexually explicit materials *outside* of these

designated pornographic spaces problematises what does and what does not constitute pornography. Similarly, within their definitions, Jane, Violet and Willow discussed pornography as depicting acts that are usually "private". These responses indicate that for some participants, there are appropriate and inappropriate spaces for pornographic content. Moreover, this also indicates that an identical material may be regarded as more explicit or pornographic if it were presented in a space where, as Steve stated, "it's not the social place for it", as opposed to if it were presented in a designated pornographic space.

Similarly, within their definitions, the young people specified that mainstream films depicting sexual activity are not pornography. The young people reasoned that sexual arousal is not the primary intent in this context and that the sexual activity depicted in mainstream films is part of or pertinent to the narrative or plot of the film. This viewpoint holds firm to current regulatory practice, wherein sexual activity depicted in the context of a mainstream film is (as directed by the *Video Recordings Act 1984*) regulated and classified by the British Board for Film Classification, rather than under 'extreme' pornography or obscenity provisions.

3.1.4 Nudity

The depiction of nudity was a defining factor discussed by half of the young people, constituting a content-based defining factor. This defining factor occurred always in conjunction with other defining factors, as young people expressed that materials depicting nudity could not be defined as pornographic in the absence of other defining factors, such as the intent behind both production and consumption of the materials. Indeed, many of the young people specified that the presence of nudity in a material *does not*, by definition, make that image pornographic. Young people's discussion of nudity indicated that definitional boundaries are blurred around depictions of people in a state of undress. Sasha stated that pornographic materials do not necessarily depict nudity, while Seph similarly expressed that pornography is "not just generic nude images, because I don't really think of those as porn – I know some people do". Within this, several young people also discussed distinctions between erotica and pornography.

A number of young people drew distinctions within the category of nudity. Jo, for example, drew a distinction between different 'types' of nudity: "You see sex simulated in the media really often" explains Jo, "so I guess [pornography is] really explicit sex and nudity to the point of degradation – I guess that sort of separates it from 'normal' nudity". Sam meanwhile regarded depictions of nakedness that are "to do with sex" as being pornographic. Young people's definitions indicated that depictions of nudity often intersect with other defining factors, such as production and consumption for the purpose of sexual arousal, alongside context, in order for these materials to be pornographic.

As discussed in the introduction to this Section, young people differentiated in their accounts between depictions they regarded as being pornographic and depictions of sex and nudity in mainstream media. As Jensen (2011: 27) explains, '[the] term 'pornography' is used by many people to describe all sexually explicit books, magazines, movies, and Internet sites, often with a distinction made between softcore (nudity with limited sexual activity not including penetration) and hardcore (graphic images of actual, not simulated, sexual activity including penetration)'. For the young people, however, the levels of nudity, explicitness of the sexual activity depicted, and intent of production and consumption were all defining factors and the young people made these distinctions in their definitions. Many of the participants differentiated between forms of pornographic content, and discussed mainly forms of 'hard-core' content. For example, Tom reasoned that the "level of nudity" influences both his definition of pornography, and his views on the distinction between soft- and hard-core pornography:

> "If a woman's got her top on I don't think that's going to be viewed as pornographic… but as soon as she takes it off it's soft porn, in all of these lads' mags – I suppose that's the point at which it becomes pornography" – *Tom, 20, heterosexual male and frequent consumer of pornography*

Tom continued on to characterise depictions of topless women, such as in "lads' mags like Nuts and FHM", as "soft-core pornography", yet "as soon as the lower half comes out I suppose that's hard-core [pornography]". Tom reasons that it is "pretty much the same with men as well… they can show the top half of their bodies and that's fine – you see it in health magazines all the time – but as soon as they get anything else out then it [is

pornography]". This distinction between soft-core and hard-core pornography was also discussed by Steve:

> "[The] edges between soft porn and advertising are non-existent, and that really works to blur the line about the definition, like what is appropriate and what isn't appropriate – I think hardcore porn is quite easy to define, but maybe soft core porn is less easy to define […] because of people's ability to access porn and now the definition is sliding…" – *Steve, 25, queer male actively attempting to reduce pornography consumption*

Like Steve, many of the young people were able to clearly describe the factors that constituted 'hardcore' pornography – 'graphic images of actual, not simulated, sexual activity including penetration' (Jensen 2011: 27) – yet were less resolute in how to define 'soft-core' materials due to the increasing prevalence of sex and nudity within the context of increasingly 'pornified' (Paul 2005) mainstream media and, as a result, many of the participants did not include 'soft-core' depictions within their definitions of pornography – choosing instead to focus on explicit 'hard-core' depictions, predominantly manifest in videos (as discussed in Section 3.2)

3.1.5 Materials Consumed for the Purpose of Sexual Arousal

Initially, half of the young people defined pornography as being materials that are consumed for the purpose of sexual arousal, constituting an intent-based and impact-based definition. Within this, the young people referred to the ability of materials to give sexual pleasure or aide masturbation as a defining factor of pornography. Charlie principally defined pornography as "[material] of a highly erotic nature, which carries images that are deliberately designed to arouse you, and probably help you to masturbate to as well". Sam typified consumption of pornographic materials as a linear and compartmentalised process: "you go home, you go on a website, you watch it, you jack off, you're done, you go on with your everyday life". Although initially not all of the participants stated consumption for the purpose of sexual arousal as a defining factor, as discussions of the thematic content progressed it became clear that all participants shared this sentiment – and, indeed, in the majority of cases also consumed pornography for this purpose.

3.1.6 Involvement of Capital

The involvement of capital, on an inter-personal or industry level, was expressed as a defining factor by a just over a quarter of the young people, constituting a paradigmatic definition. Hayley in particular principally defined pornography as "people being paid to take part in different sexual acts or images", while Willow defined pornographic materials as those being produced within an "industry".

Within this, the young people indicated that the receipt of capital by those depicted in the materials may be a defining factor of what constitutes pornographic material. Andrew, a frequent viewer of 'real sex videos', associated pornography with being the "the type of thing you'd pay for, as opposed to people who are just sort of messing around". Meanwhile, David expressed that people legitimise their pornography consumption through the perceived capital gained by those depicted in the materials: "I think a lot of people think it's alright to watch it… because they're getting paid for it and it's a job, so 'Why not? Why shouldn't we? She's got a job and everything.'" The exchange and acquisition of capital therefore featured as a defining factor for some young people, although for the majority of these this defining factor was regarded as both problematic and non-essential to definitions.

Steve meanwhile adopted an holistic approach in his definition of pornography, placing pornography within a wider matrix of capital exchange, explaining: "I suppose you could define a lot of things as pornographic that have nothing to do with sex, in the way they create a relationship between the consumer and the consumed". Steve drew an analogy to illustrate the concept of 'pornographic relationships':

> "I'm sure there's other situations where the relationship between the consumer and the consumed is exactly the same as porn, but we don't call it porn; it's totally different and publicly acceptable in the mainstream. I don't know what the best example would be… I guess it's like how salmon would be used for a fish farm – they're fucking the salmon over but they'll present an image of beautiful salmon to the people who are going to consume them, and that's in some ways quite a pornographic relationship, because it's like here's an image we've falsified to hide

the reality of what's involved in what we're doing…" – *Steve, 25, queer male actively attempting to reduce pornography consumption*

Steve's comments bring forth an holistic view of pornography; that what defines pornography is not its constituent parts, such as levels of nudity and sexual explicitness, but rather as a relationship dynamic akin to other such dynamics in mass-marketing and capitalism.

3.1.7 Private / Taboo

A small number of the young people used the terms 'private' and/or 'taboo' when defining pornography, constituting a paradigm-based definition that relies upon culturally-accepted notions of acceptability of both the content of the materials and context in which the materials are viewed. Willow defined pornography as both "private" and "taboo", elaborating: "[pornography is] what's considered 'hush hush' on a societal level… [it's] something you're not supposed to see". Likewise, when asked how she would define pornography, Violet stated: "the first word that jumps to my head is 'private'… to me, the purpose it was created for should be what people tend to do and what people feel more comfortable doing in private". Willow and Violet's responses indicate that defining factors such as people engaged in sexual activity and nudity are private activities in themselves, and it is therefore only appropriate to view materials depicting these factors privately.

These viewpoints resonate with notions of the public/private divide, observable in what are now regarded as anachronistic notions of what constitutes appropriate public and private behaviour. The viewpoints expressed by Violet and Willow – and, moreover, the absence of these viewpoints in the remaining sixteen participants' accounts – marks a departing of attitudes from traditional conceptions of appropriate public and private behaviours. Indeed, the nature of free pornographic content available on the internet is that is can be viewed in private, but an identical material can likewise be viewed by anyone and anywhere, thus blurring the boundaries between what is private and what is public. The materials themselves are available through designated pornographic spaces – public spheres easily available to anyone with an internet connection – yet they are predominantly consumed in private. This is unlike a soap opera on television, for example, which is also distributed

publicly and consumed privately, as the soap opera itself does not infer a *need* for privacy, as is the case for explicit sexual materials. Indeed, as evident in the young people's accounts, the notions of public and private are increasingly arbitrary categories in the context of definitions; the private becoming public, and the personal becoming political.

3.1.8 Negative Depictions and Unrealistic Portrayals

Throughout the data, many young people discussed negative depictions and unrealistic portrayals more widely in the context of pornography, and some young people also discussed these as paradigm-based defining factors of pornography. Within this, a handful of young people expressed that a defining factor of pornography is it being unrealistic. For Andrew, his definition hinged on a difference between materials depicting 'real couples' engaged in sexual activities – referred to as "real videos" and "amateur porn" by participants – and staged pornographic materials. This apparent difference between unrealistic or 'fabricated' materials was pivotal to Andrew's definition, who defined pornography as materials "that are focused purely on sex, and there's nothing else to them […] which are acted or fabricated rather than being a video of a real-life couple", and also stated that materials he defines as pornography often lack a "proper" plot or storyline – referring to 'wall-to-wall' and 'gonzo' materials, discussed further in Chapter 4.2.2.1.

Within his definition, David also defined pornography as being unrealistic, explaining: "Stuff that's really fake… that looks like it's been photo-shopped, so stuff that's not genuine or real… if the people in the pictures or the videos have had work done, that's probably porn". For David, materials bearing digital alteration of images or physical alteration of people's appearances through cosmetic surgery are defining factors of what can constitute pornographic materials. Seph, meanwhile, primarily defined pornography as being "funny", indicating that for her mainstream pornographic content contains elements of absurdity and farce in its depictions. Parody is, of course, a major string in the bow of the pornographic canon, with titles and plots of mainstream films being subverted and re-created to incorporate conventions of both pornographic and mainstream cinematic genres – a type of content discussed by some of the young people throughout the interviews. The specific mention of these pornographic materials depicting plots or storylines by the young people suggests that these are not the materials predominantly considered to be pornographic by

young people, which points again to the momentum towards 'gonzo' and 'wall-to-wall' materials (discussed further in Chapter 4.2.2.1) demonstrating that *what* types of content are most commonly available thus influences *how* pornography is defined.

In addition to unrealistic portrayals, some of the young people included the factor of negative depictions within their definitions of pornography, indicating paradigmatic frameworks influence young people's definitions. Much like MacKinnon and Dworkin's (1998) proposed Civil Rights Ordinances that in part define pornography within the paradigmatic framework of inherently depicting the subordination of women (discussed in Chapter 1.1.1), some of the young people also discussed subordination, objectification and subordination as paradigms through which they defined pornography.

3.2 Pornographic Media

This Section presents the findings pertaining to young people's views on the media through which pornography is depicted. As discussed throughout Section 3.1, there were a number of defining factors that young people discussed as being constitutive of pornography. The purpose of this Section is to further ground and contextualise these definitions by presenting young people's views on the media through which – from their perspectives – pornography most commonly manifests.

As depicted in Figure 7 below, a hierarchy was clear in young people's accounts, with many of the young people expressing that they predominantly associated pornographic materials with moving images, such as videos. Likewise, as will be discussed further in Chapter 4.1.1, the streaming of pornographic videos online was the most common way in which the young people accessed and consumed pornography. The majority of young people expressed that still images can also be a pornographic medium, yet within this many participants regarded still images to be 'less explicit' or less likely to be associated with pornography than moving images. A handful of participants stated that the written word had the potential to be a pornographic medium, however text was regarded as less visual and therefore less 'explicit' and pornographic than visual images.

Figure 7. Young People's Perspectives on the Media through which Pornography Manifests

Least Explicit /Pornographic		Most Explicit /Pornographic
Written Word	**Still Images**	**Moving Images**

Moving images and videos were most commonly cited as pornographic media by participants, with participants describing moving images as being manifest mainly in pornographic videos streamed online or, as a handful of participants stated, as materials on DVDs. As discussed above, the young people expressed that moving images had the capacity to be more "real", "explicit", and "extreme" than other media, while Francis explained:

> "I think when someone does mention pornography in my mind it would immediately be more visual, because of the impetus to stimulate, it's faster and more explicit, less reliant on imagination" – *Francis, 25, heterosexual male and past pornography consumer*

Within the context of the Internet, a small number of the young people discussed "web chats", wherein viewers pay to view people engaged in sexual activity for the purpose of sexual arousal, the activity is live, and the viewers interact with those depicted (with Sasha having paid to participate in such 'web-chats' in the past). Interestingly, Lola stated that sounds could also be pornographic, explaining that certain sounds – such as the sexual vocalisations and bodily noises in pornographic materials – signified pornographic content. Indeed, in terms of impact-based definitions of pornography, it is arguably the combination of moving images and sound that constitutes pornography, if we are (as discussed in Section 3.1) to define pornography as explicit materials depicting sexual activity that are produced and consumed for the purpose of sexual arousal.

Many participants also stated that still images can be a pornographic medium, yet a significant proportion of the young people stated that still images are less pornographic or

sexually explicit than moving images. This sentiment expressed by participants was summarised by Sarah, who stated:

> "I think to a certain extent still images are less sexually explicit than videos, for some reason – I guess a still image of somebody who is naked doesn't necessarily have to be pornography…" – *Sarah, 20, heterosexual female and frequent pornography consumer*

Within the category of still images, magazines and newspapers were frequently discussed by participants as bearing pornographic content, alongside still images available online. Lola and Sam classed "lads' mags" as being pornographic material. Andrew, however, stated that: "I wouldn't call 'Playboy' pornography because it is to some degree a legitimate magazine". Juan stated that posters "of a sexual nature" have the potential to be pornographic and discussed sexually explicit posters and magazines aimed at gay men, which were freely available at his place of employment. This resonates with Jo's comments on advertisements and "mainstream" magazines marketed at women:

> "I think it's increasingly sexual… I think porn plays on stereotypes massively, and I think that's picked up in loads of things, like women's magazines, advertising – especially advertising, I think advertising a lot – and loads of magazines as well that you'd consider to be mainstream all have this – it's things like "Improve your sex life", "Five tips for a porn star", and all that sort of thing – and I think all of that is very intertwined…" – *Jo, 23, heterosexual woman and occasional consumer of pornography*

Jo's comments highlight notions of the 'pornification' of culture (Paasonen *et al* 2007), wherein pornographic conventions are increasingly influencing popular culture.

Opinion regarding whether the written word had the potential to be a pornographic medium was divided amongst the young people, with half of participants stating that the written word *is not* a pornographic medium. Some participants thought the written word has the potential to be pornographic, though many participants felt that visual media are more attributable to being pornographic materials. In this context, Sarah made a distinction between sexually explicit and sexually suggestive content, explaining:

"…erotic literature I would definitely say is pornographic, but again I think it's less sexually explicit than video… I would say that a book that doesn't depict any sexually explicit act I'm not sure I'd refer to it as pornographic, like Gilly Cooper novels, that sort of "He stood there with a whip in his hand" – I'm not sure I'd necessarily consider that to be pornography, but if it has some sort of sexual act or if it's sexually explicit, then yeah…" – *Sarah, 20, heterosexual woman and frequent pornography consumer*

As with participants' more general definitions of pornography, Sarah, alongside David, felt that if it is the *intention* of a text to sexually arouse it may then be classed as a pornographic material, although David regarded the written word to be "nicer" than visual pornographic materials.

Some young people also discussed animations, cartoons and computer-generated images as a potentially pornographic medium, which can manifest as both moving and still images. When listing potentially pornographic media Lola cited "animations", while Steve expressed that even though "[cartoons] can be can be entirely fictional and not be based on any real people… I might still call that porn". Meanwhile, Sam stated that video games "might branch on pornography in the way that they treat some characters as over-sexualised". The discussion of animated and computer-generated materials in this context is pertinent, as this indicates that young people regard these materials as just another *medium* through which pornographic depictions and content manifests, which is discussed further in Chapter 5.4.

Relating to previously considered contributions around the defining factors of nudity and context, a number of participants discussed art as a category distinct from pornography. Sarah stated that "I guess with old art with nude women in I wouldn't be like 'Ah, there's pornography in the museum!'". Violet similarly stated "I don't consider art to be pornography – you know, naked people and stuff", explaining: "I mean if you're going through an art gallery or something, and you see something sexually explicit, that to me wouldn't be pornography because… it's not private material you've actively sought out, in the privacy of wherever…". The young people's reflections indicate that the public placement of sexually explicit materials involving nudity – specifically those in an art gallery

– are not pornography, suggesting that the space of the art gallery lends a certain legitimacy to materials therein.

Some of the young people discussed the importance of contextual factors and cultural value in deciding whether or not a work of 'art' is pornographic – which is reflected, too, within the *OPA* provisions. While the *OPA* sets out a 'test for obscenity' (as discussed in Chapter 1.3.1), producers and distributors of art – whether that be visual art or works of literature – are not subject to criminal proceedings under the *OPA* if the materials are deemed to be of cultural value. As Francis stated in the context of defining pornography, "I'd say generally – as a blanket statement – that [pornography] lacks artistic merit for the most part", which suggests that in order for materials to be considered pornographic they are necessarily not produced according to artistic aesthetic qualities or genres. The importance of context and intent in young people's views on whether a material is pornographic resonates with the controversies surrounding Robert Mapplethorpe's photographs of male nudes, which in the context of the art gallery gain a legitimacy that may be lessened if the same pictures were to produced and distributed in a pornographic context – as in, for the sole purpose of sexual arousal.

3.3 Contextualising Young People's Definitions of Pornography

This Section presents an overview of the self-reported factors that influenced young people's definitions of pornography and how young people feel their definitions may compare to those of their peers. The most common self-reported influencing factor upon participant definitions was their own viewing or experiences of pornography. Feminism, mainstream media, peers, upbringing and early experiences of pornography all featured in equal measures as influencing factors upon participant definitions, as shown below in Table 23.

Table 23: Self-Reported Factors Influencing Young People's Definitions of Pornography

Factor Influencing Participant Definitions of Pornography	Percentage of Participants
Personal experience of viewing pornography	78%
Feminism	22%
Peers	11%
Mainstream media	11%
Upbringing / Early experiences	11%

As shown above in Table 23, the most frequently occurring influencing or informing factor upon participant definitions was participants' own viewing and experiences of pornography, with the majority of participants giving that as the single influencing factor upon their definitions. A number of participants did, however, discuss other factors that had influenced their definitions of pornography, such as feminism, the influence of their peers, mainstream media and their upbringing or early experiences of pornography.

Around twenty per cent of participants stated that feminism had in some way influenced or informed their definitions of pornography. Sarah stated that her definition of pornography was directly influenced by both feminism and the sex-positive movement. Three further participants – Francis, Steve and Willow – also discussed the influence of feminism upon their definitions. For two participants, the views of other people was an influencing factor upon their definitions. Alongside "what I've seen" and "what I've heard" being influencing factors upon Lola's definition, "talking to other people" was a main influencing factor for her, explaining: "…a lot of my mates are guys and so I'm constantly surrounded by it… Let's just say at a party with drinks in them pretty much all they talk about is porn…". A further two participants stated that their upbringing and early experiences of pornography was an influencing factor upon their definitions. Sasha, having in part defined pornography as

being 'deviant', stated that she was "not brought up around [pornography] in any way", continuing:

> "…so when I discovered [pornography], it was not something I had ever found at home or had ever been spoken about at home. I was also brought up Catholic […] so I think that's probably why 'deviant' comes up…" – *Sasha, 23, pansexual female and frequent consumer of pornography*

Sasha is among a handful of participants who discussed their upbringings during the empirical research as an influencing factor upon their definitions, use of and views on pornography.

In terms of how young people feel their definitions of pornography would compare to those of their friends or peers, opinion was very much divided with around a half of participant responses indicating that their definitions of pornography were likely similar to those of their friends or peers, and around a half of responses indicating that participant definitions of pornography would differ to those of their friends or peers. Participants discussed generational factors, personal opinion, and feminism as factors within this.

Differing or similar personal opinions featured regularly in the data, indicating that young people felt their paradigmatic definitions of pornography to be influenced by personal opinion. David stated that his definition of pornography would likely substantially differ from his friends and peers, explaining that "people don't know the reality of it". Jo too felt there would be dissonance between her definition and those of her friends or peers; stating that though although they would most likely agree on the categorisation of what does and does not constitute pornographic material, she felt elements of her peers may define pornography as being "abhorrent" while others may define it as being "liberating" – neither of which definitions she would wholly agree with. What is clear from these statements is that although young people feel that they generally agree on what constitutes pornographic material, the value judgements placed on these materials can vary.

Juan, on the other hand, believed that the definitions of his friends and peers would be similar to his because they "use porn in a similar way" to him. Likewise, Charlie stated that while he gave "quite an academic answer" to the question of defining pornography, he

thought his friends and peers "don't give it much thought", adding that they see pornography simply as "a way to get off". Violet, in contrast, expressed that her friends likely hold very similar definitions of pornography to hers, explaining: "I think they would associate the idea of pornography as being very sexually explicit and private". Meanwhile, Hayley and Neil suggested that "it's a generational thing"; with friends and peers of a similar age group having similar definitions of pornography. Likewise, these participants reflected that their definitions of pornography would probably differ from the definitions in their parents' generation.

A handful of participants, such as Willow and Sarah, discussed feminism as influencing factors upon their paradigm-based definitions. Due to her "liberal friendship group", Sarah believed her definitions of pornography were similar to those of her friends. Sarah did, however, observe that her male friends may have differing definitions of pornography, as pornography is "made for a male audience". As Sarah's definitions were influenced by "feminism and the sex-positive movement", she felt that definitions may differ between her and her non-feminist peers, believing non-feminists to be "less critical" of pornography; critical, according to Sarah's account, referring to using feminism and sex-positivity as a critical framework by which to define, analyse and use pornography.

3.4 Summary: How Young People Define Pornography

In this Chapter, the findings pertaining to young people's definitions of pornography have been discussed. Section 3.1 found that young people predominantly defined pornography as explicit materials depicting sexual activity (often involving people) produced and consumed for the purpose of sexual arousal. Within this, factors of context, content and intent featured in young people's definitions. Among the definitions offered by the young people, it was clear that not all defined pornography as associated with or necessitated by the involvement of capital, with the majority of young people indicating that pornography is defined as materials produced and consumed for the purpose of sexual arousal both with or without capital gain (thus including 'amateur' and peer-produced materials).

The findings discussed in Section 3.2 demonstrate that young people most commonly associated moving images with pornography, and thus regarded still images and the written

word as less explicitly pornographic. Meanwhile, the findings presented in Section 3.3 demonstrate that young people's definitions of pornography were predominantly informed by having viewed pornography themselves. Having established these definitional reference points and finding that young people's definitions are predominantly based on their own pornography consumption, Chapter 4 will investigate young people's interactions with pornography in more depth and examine the range of pornographic materials and content viewed by young people.

CHAPTER 4

The Range of Pornographic Materials Viewed by Young People

This Chapter presents the findings from the empirical research pertaining to Research Question 2 – 'What is the range of pornography viewed by young people?'. As outlined in Chapter 2.1, this Research Question aims to investigate young people's interactions with pornography, and the range of pornography viewed by young people and their perspectives on this content.

Research Question 2 and the resulting findings discussed throughout this Chapter are important because previous empirical research on young people and pornography seldom investigates young people's perspectives on and experiences of pornography in-depth in an interview context, nor has such previous research investigated the *range* and specific *types* of pornographic content encountered by young people and young people's perspectives on this content (as discussed throughout Chapter 1.2). These lacunas in existing empirical research knowledge have been identified, too, by Horvath *et al*'s (2013a, 2013b) recent REA on young people and pornography – which recommended that future research in this area investigate the '*contexts* children and young people [are] exposed to pornography' and 'the *content* of the pornography that children and young people are exposed to and access' (Horvath *et al* 2013b: 43; emphasis added). Each of these two main recommendations are directly responded to in this Chapter, with the research findings presented in two main Sections. Firstly, this Chapter discusses the findings pertaining to young people's interactions with pornography and the contexts in which pornography is accessed by young people (Section 4.1). Secondly, this Chapter discusses the findings pertaining to the range of pornographic content viewed by young people and their perspectives on this content (Section 4.2). Considered as a whole, these elements combine to create an in-depth picture of young people's encounters with and perspectives on pornography.

4.1 Young People's Interactions with Pornography

This Section discusses the findings pertaining to young people's interactions with pornography and the contexts in which young people access pornography. Section 4.1.1 discusses the contexts in which young people access pornography and Section 4.1.2 then discusses the media through which young people access pornography. Section 4.1.3 then outlines the findings pertaining to purposeful cessation and reduction of pornography consumption that emerged from the empirical research data. Section 4.1.4 then provides an overview of young people's initial contacts with and access to pornography. Section 4.1.5 discusses young people's perspectives on self- and peer-produced sexually explicit materials, alongside findings pertaining to the replication of sexual acts as depicted in pornography.
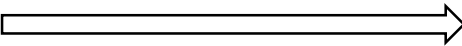
4.1.1 Contexts of Viewing Pornography

This Section outlines the contexts in which young people viewed pornography, focusing on the three main contexts occurring in the data: viewing pornography alone; viewing pornography with a partner, and; viewing pornography with peers.

4.1.1.1 Viewed Pornography Alone

As outlined below in Table 24, almost all of participants had purposefully viewed pornography alone at some time. As Table 24 further illustrates, almost all participants viewed pornography alone often (once or more per week) or fairly often (several times a month), which demonstrates that the majority of the young people were purposefully accessing pornography at least several times per month. This finding foregrounds the findings pertaining to Research Question 2 – 'What is the range of pornography viewed by young people?' – that are discussed throughout this Chapter, as it can be established from this finding that the majority of the young people who participated in the research purposefully accessed pornographic materials on a fairly regular basis, indicating that participants had a grounded and experience-based understanding of pornography.

Table 24: Frequency of Young People Viewing Pornography Alone

	Viewed Pornography Alone				
Spectrum Category	Never		⟶		Often
No. of Participants	1	1	1	6	9
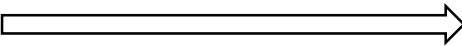
There were two participants who seldom or never viewed pornography alone. Of these participants, Sam had never viewed pornography alone, having only viewed pornographic materials with a previous partner (discussed further in Section 4.1.4.2). Meanwhile, Francis was a regular user of pornography and had since decided to cease accessing the materials. Full discussion of young people's reduction in and cessation of consuming pornography can be found in Section 4.1.3.

These findings demonstrate that all of the young people had viewed pornography at some time in their lives, with half of participants viewing pornography alone at least once per week, and the majority of the remaining young people accessing pornography several times per month. Indeed, as Strager (2003) observes, 'private viewing forms the foundation for the expanding pornographic market'. As discussed in Chapter 1.2.1, the *UK Children Go Online* study found that only a quarter of young people aged 18-19 had purposefully viewed pornography (Livingstone and Bober 2005). While this research found that all participants had purposefully accessed pornography, this finding may be mediated by previous research findings that indicate that purposeful consumption of pornography among young people increases with age (as discussed in Chapter 1.2.2) and the utilisation of a small-scale sample.

4.1.1.2 Viewed Pornography with a Partner

While the majority of young people had viewed pornography with a partner at some time, it was not an activity most of the young people engaged in regularly, as illustrated by Table 25 below. Four of the young people viewed pornography with a partner regularly to fairly regularly, while three participants only sometimes engaged in this activity. Meanwhile, seven of the young people had viewed pornography with a partner once or twice and four of the young people had never done this, which therefore indicates that over 60% of the young people had none to very little experience of this activity.

Table 25: Frequency of Young People Viewing Pornography with a Partner

	Viewed Pornography with a Partner				
Spectrum Category	Never		→		Often
No. of Participants	4	7	3	1	3

Of the participants who did view pornography with their partners, Sasha discussed at length the differing experiences she had had in different relationships:

> "I've had very different experiences of that in different relationships – some where it wasn't something that could even be brought up for discussion, and if it was it was very much a no-no, and seeing pornography as there being something wrong with your relationship, because you're looking for sexual stimuli outwith that relationship with that person. And then I've had relationships with people who have been of the same opinion of me […] it can be an avenue to different things that you can explore together, whether that's a particular niche or fetish that you both enjoy […] And then I've had relationships with people who I have watched pornography with, but not necessarily watched things that I would watch on my own, and it's been quite strange because I think depending on the type of pornography you watch with a partner, you're giving them an impression of what you enjoy and trying to get them a lead as to what you want to do, but that hasn't always necessarily been what I have wanted to do, I've just watched what I would consider quite tame things before – so, yeah, I've had very different experiences with different people, but I think it can be a really interesting thing to watch pornography with a partner." – *Sasha, 23, pansexual female and frequent consumer of pornography*

Here, Sasha provides a valuable insight into the differing ways viewing pornography within a sexual relationship can be conceived – from there being "something missing" within a sexual dynamic to being a positive way to explore different or new sexual activities, dynamics and fetishes within a relationship. For Jane and Sam, their first experiences of pornography were through being shown materials by male sexual partners, which for them seemed to be an intent with their partners to set a precedent within their sexual dynamic and to express

desires for certain sexual activities or behaviours. Aged 19 at the time of this initial contact, Sam remarked that viewing materials with their partner as "weird" and felt "a bit voyeuristic", instead preferring that "in an ideal world, I'd want all sexual exploration to be between the couple – or threesome if it was a threesome, or foursome, or however-many-you-want-some" rather than viewing pornography for sexual gratification. Indeed, as Charlie reflected:

> "As for watching porn with a partner, I always think that's a little weird, and even if the other partner say they're okay with that, I think it does create a little bit of a weird scenario, but it can lead to sex – I think that's probably the reason why partners do it."
> – *Charlie, 25, heterosexual male and frequent consumer of pornography*

Steve meanwhile does not view pornography with his sexual partners or peers, yet has had discussions with them about it:

> "…having discussions about porn consumption and about what kind of porn you view with partners or friends, I've done that quite a lot but not actually… I'm well aware of my partners' porn consumption, we talk about that but we don't do it together, and the same with some friends as well. I think there's probably a few things mixed in that have created that situation, like it would be a massive leap to start watching porn with my partners or friends…" – *Steve, 25, queer male actively attempting to reduce pornography consumption*

Steve's comments, alongside the relatively low proportion of participants engaging in this activity, demonstrate a certain amount of unease felt around viewing pornography with partners. Similarly, the pornography participants viewed with peers as young adults was for the purpose of entertainment rather than for sexual pleasure. The low numbers of participants viewing pornography with sexual partners or peers for the purpose of sexual gratification as compared with the high numbers of participants viewing pornography alone demonstrates that for the participants viewing pornography is predominantly an activity engaged in alone. Further discussion relating to viewing pornography with partners can be found in Section 4.1.5.1, in the context of replicating sexual activities as depicted in pornography.

4.1.1.3 Group Viewing: Viewed pornography with peers

The research found that over sixty percent of the young people reported having viewed pornography with peers (friends or peers who were not sexual partners), including both viewing materials with a single peer and group viewing of materials. The young people's motivation for this was generally split into two predominant age-based categories: as children and young teenagers (below 16 years old) due to curiosity towards viewing sexual activity and, in some cases, also for the purpose of sexual arousal; and, as young adults (roughly 16 years old and above) for the purpose of amusement, entertainment, and/or to be shocked or disgusted by the materials.

Within these findings, the research also found that 'shock' videos depicting sexual activity were often shared among young people, also often not for the explicit purpose of sexual arousal but instead for the purpose of amusement and entertainment among peer groups – discussed further in Section 4.2.2.6 of this Chapter. These findings pertaining to the social phenomena of group viewing and the dissemination of 'shock' materials therefore raise interesting questions for defining pornography – both young people's definitions and definitions within criminal law regimes – and for the 'extreme' pornography legislation, which will be discussed later in this Section.

In terms of viewing pornography with peers as children and younger teenagers (aged below 16), these experiences occurred most often within the male-identified participants' accounts and for many this also formed their initial contacts with pornography (discussed further in Section 4.1.4). The dissemination and viewing of pornography among male peer groups was discussed by most of the male participants in the context of their initial contacts with pornography as children and younger teenagers, with these participants having shared materials ranging from mainstream heterosexual male-oriented magazines depicting nude women (such as *FHM* and *Loaded*) to hard-core pornographic materials on DVDs and the internet.

Within this, the young men discussed *how* pornography was shared among their peers, providing insights into the dynamics of group dissemination and viewing of pornography, particularly in the context of initial and early contacts with materials. For example, Juan's

experience of viewing pornography with peers highlights how he initially gained access to pornographic materials as a younger teenager:

> "When I was younger, I used to watch porn with friends – one of my friends, if I stayed round his over the weekend, we'd watch a porno DVD together – he had a DVD and he copied it for me because I loved it so much…" – *Juan, 21, gay male and frequent consumer of pornography*

Juan's experience echoes that of Steve, who as a young teenager initially came into contact with pornography via a communal "porn stash" of pornographic magazines hidden in a tree by his peers and accessed by boys in the local area. Likewise, Andrew discussed how being shown pornographic magazines by older male cousin constituted his initial contact with pornography, while Tom discussed having been shown images and videos by male peers whilst attending boarding school as a teenager.

Meanwhile, David described how he and his friend "used to watch [pornography] when we were alone" at the age 10 or 11, explaining:

> "I suppose it seemed kind of grown up and like "woah!", but at the same time, it's not like you can do anything about it at that age… like, for me, it's not like I actually felt sexually aroused by it… and it was kind of a social thing as well, I remember people at school would talk about it, and me and my friend would talk about it, and he'd show me videos." – *David, 18, gay male and frequent consumer of pornography*

For David, this process of sharing and viewing pornography with peers was a "social" activity which was often driven by curiosity, with the materials being viewed by David not for the principal purpose of sexual arousal. Similarly, Francis discussed the dissemination and viewing of pornography among his peer group as younger teenagers, also describing this process as non-sexual:

> "…it was strange because it wasn't really sexual, because you didn't stand around with a hard-on with all your mates, it was just sort of on, and it was again this jokey sort of thing – it was really peculiar actually – this strange kind of asexual thing, but it almost prepares you – especially for an adolescent male – the way for just accepting, and then

it becomes sexual as an alone thing. So yeah, that was the first experiences of pornography, and this pressure as well to be involved in that…" – *Francis, 25, heterosexual male and past consumer of pornography*

Francis' and the other young males' accounts suggest an apparent trajectory, from the dissemination and non-sexual group viewing of pornographic materials to viewing materials alone. This practice, described by both Francis and David as "social", points to a process of socialisation among male peer groups that encourages pornography consumption and continues beyond initial instances of group viewing, as Francis continues:

"It progressed onto where you wouldn't watch porn with your friends any more, but you'd talk about "Oh yeah, did you see that thing last night?", and it had this strange kind of social aspect to it where it's a manly thing to do to consume this…" – *Francis, 25, heterosexual male and past consumer of pornography*

Francis' account suggests that a process of socialisation and normalisation is at play, wherein consuming pornography is regarded as "the manly thing to do" within male peer groups. This suggests that masculine identities and ideas of heteronormative masculinity may be conflated with the consumption of pornography among adolescent male peer groups. Furthermore, as Charlie explains, this process serves to both validate and normalise the consumption of pornography among male peer groups:

"I think as you realised your mates are doing the same thing, I think you become more confident and you almost feel like it's kind of your right to be able to access porn, because your friends are doing it, so it becomes normalised…" – *Charlie, 25, heterosexual male and frequent consumer of pornography*

Here, Charlie directly states that pornography consumption "becomes normalised" by peer groups, with the knowledge of other peers' consumption lending validity and entitlement to consume these materials.

Within the accounts of group viewing when aged below 16, the young men described the dissemination and viewing of materials as occurring at their homes or their peers' homes and within a school setting. The latter area – school – was discussed by many participants of all

genders as places where pornography was regularly discussed and shared among peer groups. For example, Lola described her initial contact with pornography as being shown a still image from a hard-core video on a peer's phone at school, and described how she then later sought out the video alone due to a curiosity sparked by viewing the image. Meanwhile, Tom discussed the dissemination of pornography among peers within the all-boys boarding school he attended as a teenager:

> "People showed me pictures on their phones […] like, "look at this girl with her boobs" and stuff, it's just pathetic really. I went to boarding school so that makes you grow up quite quickly […] Lots of the guys were watching porn there, and I was in a big dormitory and I shared a room with them so I knew they watched porn…" – *Tom, 20, heterosexual male and frequent consumer of pornography*

Describing himself as "quite immature" when he arrived at boarding school, Tom discussed how he was shown pornographic images and then videos by peers, progressing onto viewing these materials alone during his teenage years. Tom discussed how, although the school had taken steps to block pornography through its IT systems, he and his peers would download materials at home and bring them on USB sticks to view while in school, describing this as "quite a normal thing for teenage boys to be doing".

Meanwhile, as a young woman, Lola offered insights into the vicarious impact of the dissemination and viewing of pornography among adolescent male peer groups:

> "…hearing it getting passed about at the back of the classroom in most of the lessons… and as we got older it got a lot more prevalent, it was always there, and the guys would crack jokes and stuff and compared the lassies' boobs in the class to the ones in the videos – that was lovely for the self-esteem…" – *Lola, 19, heterosexual female and occasional consumer of pornography*

For Lola, her male peers' consumption of pornography fed directly into sexual harassment of young women in the classroom context, and – like in the young male's previous accounts – again point to a process of socialisation and normalisation of pornographic materials within male peer groups, particularly in the school context.

Moving on from peer and group viewing as children and younger teenagers, many of the young people also discussed having viewed pornography with peers as young adults (aged 16 to 25). The participants' motivations for viewing pornography with peers as young adults were generally to be amused, entertained, shocked, or disgusted by the materials. Within this, the young people's experiences of peer and group viewing were divided into two main categories: first, where they purposefully chose to view these materials with their peers – often for a collective goal of amusement, entertainment or to be shocked; and second, where they were inadvertently exposed to the materials by peers – often for their peers' own amusement or entertainment.

With the first category of peer and group viewing, the young people had viewed a wide range of materials with their peers – ranging from mainstream pornographic videos to materials depicting sexual activity between people and animals. As is discussed further in Chapter 4.2.3.4 in the context of sexual activity involving people and animals, Sasha actively sought out and viewed the film *Animal Farm* with peers. As Sasha explains, "we tended to watch things that are slightly bizarre or not necessarily something we would find sexually arousing, but something that can raise a gasp in company or a bit of a giggle" and stated that watching "bizarre" pornographic materials with peers was both socially acceptable and enabled the viewing of materials she may feel "wrong" viewing alone. Charlie expressed a similar sentiment in that he believes watching porn with a group of friends to be "socially acceptable", which was certainly reflected by other participants' accounts. Sarah, for example, described it as "just one of those things" where "you get drunk [and] watch some porn as a group". For the participants who had watched pornography with peers as young adults, this practice was normalised among their peer groups.

Returning to the second category of peer and group viewing, a number of the young people has been inadvertently exposed to pornography by peers as young adults. Within the participants' accounts, pornographic 'shock' videos – such as *Two Girls, One Cup* – emerged in the data as materials that are shared within peer groups to cause shock or disgust, as discussed further in Section 4.2.2.6, and many participants discussed these experiences as being negative or upsetting.

The social phenomena of group viewing as discussed throughout this Section raises interesting questions for defining pornography – both from the perspectives of the young people and within criminal law regimes. These findings also raise pertinent questions for legal regulation, and particularly for the 'extreme' pornography possession offences under the *CJIA 2008* and the *CJL(S)A 2010*.

In terms of the young people's definitions of pornography, this research found that the young people predominantly defined pornography as materials depicting sexual activity (often involving people) that are produced and/or consumed for the purpose of sexual arousal (as discussed in Chapter 3.1). However, the findings on peer and group viewing of pornography indicate that, in these contexts, materials are often viewed by young people *not* for the purpose to sexually arouse but to entertain or shock. Some of the young people (such as Sarah, Sasha and Juan) had viewed mainstream pornographic materials with peers – materials that were produced for the purpose of sexual arousal – yet these materials were not viewed with the sole or principal intention to sexually arouse. Despite this, the young people framed such materials as being pornographic, presumably due to all other defining factors being present in these materials – that is, sexually explicit materials (often depicting people) *produced* for the purpose of sexual arousal – despite, in these instances, the materials not having been *consumed* for the purpose of sexual arousal.

Considering the young people's definitions of pornography in the context of 'shock' videos such as *Two Girls One Cup* (as discussed further in Section 4.2.2.6) raises a further consideration regarding the intent or purpose of *production*. As with the group viewing of mainstream pornographic materials, such 'shock' videos are also often disseminated and viewed not for the purpose of sexual arousal but to amuse or entertain. In addition, these materials are often disseminated and viewed to instigate shock, disgust or offence to the viewer – especially when exposed to these materials inadvertently. However, unlike mainstream pornographic materials, it is unclear whether these materials are produced for the purpose of sexual arousal or for the purpose to shock the viewer. As a result, the 'shock' videos perhaps do not fall strictly within the remit of the young people's collective definition of pornography, yet the majority of the young people discussed these materials in the context of pornography. Perhaps this is due to other markers being present in these materials – such as sexual activity, nudity, genitals, and a pornographic aesthetic – or perhaps this is due to

there being a lack of other frameworks within which the young people can situate these materials and articulate their experiences of viewing them. Therefore, the phenomena of 'shock' videos raise questions for defining pornography, thus constituting an area for further research and consideration.

Meanwhile, current definitions of pornography in criminal law regimes – and specifically the definitions in the 'extreme' pornography legislation – state that a pornographic material is that which has been 'produced for the sole or principal purpose of sexual arousal' (as discussed in Chapter 1.1). In order to decide whether a material is regarded as being pornographic, the *CJIA 2008* and *CJL(S)A 2010* contain a reasonableness standard, constituting the courts as the arbiter of whether a material falls within the legislative definition. As a result, consumers' own definitions of pornography are not admissible factors in deciding whether a material constitutes pornography – and, indeed, 'extreme' pornography.

The social phenomena of group viewing also raises pertinent questions for the 'extreme' pornography legislation, and particularly for *where* the criminal culpability lies when proscribed materials are viewed in a group context. Within the *CJIA 2008* and *CJL(S)A 2010*, it is an offence to *possess* 'extreme' pornography materials. As discussed in Chapter 1.3.2.3, proof of possession can include the possession of a tangible artefact (such as a magazine or DVD), a digital file stored on the hard-drive of a computer, or a file on the device's 'cache' which contains a record of the user's access to that material. It is therefore only the individual who is in possession of the tangible artefact or electronic device that can then be subject to prosecution under the legislation. In the absence of a legal precedent that indicates otherwise, it currently stands that any other individuals viewing the material on another's device, for example, are not then liable for prosecution under the 'extreme' pornography legislation.

With this in mind, the phenomena of group viewing raises questions about the sufficiency of the current 'extreme' pornography legislation. Indeed, as discussed in Chapter 1.3.2, the legislation was writ with a view to discourage individuals from accessing 'extreme' materials. Yet, within the current legal framework, the legislation does not apply to individuals who view materials that are owned, downloaded or streamed by someone else, which appears to

contradict the legislative intent of preventing access to materials and subsequently setting an ethical precedent in relation to 'extreme' pornography.

While the phenomena of group viewing raises pertinent questions for legal regulation, it is not currently possible to conclude how widespread the phenomena of group viewing of 'extreme' pornography is in the UK, due to a lack of large-scale research in this area. Moreover, there is currently no precedent set in criminal law regimes relating to pornography on how to provide for – and, indeed, legislate against – the viewing of materials not owned or stored by the individual(s) in question. In addition, the available statistics on the usage of the 'extreme' pornography legislation, as discussed in Chapter 1.3.2.1 and 1.3.2.2 respectively, indicate that charges and cases reaching a first hearing under the *CJIA 2008* provisions numbered 2,236 between 2009 and 2011, while fewer than three-hundred prosecutions occurred across Scotland in 2014.

The low incidence of prosecutions in general, in conjunction with a lack of available of statistics on the incidence of group viewing of 'extreme' materials and the difficulty in providing proof of third-party viewing, suggest that the creation of a specific criminal offence of viewing is not currently tenable. While the exploratory nature of this research does not lend itself to providing solid recommendations for legal reform or policy formation, the findings discussed throughout this Section demonstrate that the social phenomena of group viewing is a significant area of legal and policy import, and therefore worthy of further research and consideration.

4.1.2 Media though which Pornography is Accessed

Table 26 below outlines the media through which participants accessed pornographic materials, on a sliding scale between never and often. While the media through which pornography was accessed by the young people varied, the research found that the majority of young people accessed pornography by streaming videos online from pornographic websites.

Table 26: Frequency of Media through which Pornography is Accessed

Pornographic Media					
	Never			→	Often
Streamed Porn on the Internet	0	2	3	5	8
Downloaded Porn from the Internet	5	7	1	2	3
Viewed Porn on DVDs or VHS	7	3	2	5	1
Viewed Porn on Mobile Phone	8	5	1	3	1
Viewed Porn in Magazines or Books	2	5	7	2	2
Read Sexually Explicit / Erotic Literature	1	6	2	5	4

As indicated by Table 26 above, streaming videos on the Internet was by far the most common way that young people accessed pornography. While many of the young people used computers to stream these materials, a handful of participants also streamed pornographic materials on their smartphones. The majority of the young people never or very seldom downloaded pornographic materials from the Internet, with most expressing that downloading materials was unnecessary when materials are freely available to be streamed online. For a handful of young people, however, this was an activity they often or fairly regularly engaged in. While the majority of the young people had never viewed pornography on their mobile phones, a handful of the young people engaged in this activity on a fairly regular basis. Similarly to downloading pornography from the Internet, many of the young

people had never viewed pornography on DVD or VHS. For over a quarter of young people, however, this was an activity they engaged in fairly regularly. The majority of the young people only occasionally or seldom viewed pornography in magazines or books, with the young people's accounts suggesting that much of these experiences relate to past instances of viewing pornography in magazines, often featuring in their initial contacts with pornography (as discussed in Section 4.1.4).

Almost all of the young people had read erotic or sexually explicit literature at some point, with half of all participants engaging in this activity at least once a month. What constituted erotic or sexually explicit literature was discussed by a number of the young people, with some participants reading literature with sexually explicit content but not for the purpose of sexual arousal (such as novels by J.G. Ballard in the case of Francis) and some participants reading literature produced for the purpose of sexual arousal (such as Ex Libris books in the case of Seph). Discussed also was the novel *Fifty Shades of Grey* by E.L. James, which had been read by a handful of the young people, all of whom expressed disapproval toward or dislike of the book. Participants expressed that *Fifty Shades of Grey* depicted an inaccurate and therefore potentially harmful image of BDSM, wherein sexual consent was not foregrounded and unequal power dynamics eroticised.

4.1.3 Cessation and Reduction of Pornography Consumption

Within the empirical research data pertaining to the frequency of young people's access to pornography, a theme of purposeful cessation and reduction of pornography consumption emerged. A fifth of the young people discussed having made purposeful decisions to discontinue or reduce their consumption of pornography or – in the case of Willow – alter the *types* of pornographic content accessed. The main motivating factor discussed by these young people for discontinuing or reducing their consumption of pornography was an increase in awareness around pornography, such as encountering feminist publications on pornography, becoming 'disturbed' by the content of pornographic materials, and due to gaining understandings of the impacts of pornography upon performers in the industry and – in some cases – also upon themselves.

Of these young people, one participant (Francis) had purposefully discontinued his consumption of pornography, one participant (Steve) was actively attempting to reduce his

consumption of pornography, two participants (Lola and Willow) had altered their pornography consumption, and a further participant (Sam) had not viewed pornography since their initial contacts with materials. For Francis, who "swore off" accessing pornography at around the age of 17, it was both a developing unease with the content of pornographic materials and gaining understanding of feminist critiques of pornography that led to his decision to cease accessing pornography:

"I used to use pornography when I was younger for a few years, then I got to a point where it really started to disturb me, what I was seeing. Then I became a bit more aware of arguments and debates on the topic and read a bit more around the subject, because I think porn exists in this microcosm where it's absolutely fine to be explicitly racist, sexist, abusive, homophobic, and toying with things like paedophilia, where it's the younger the better kind of thing, or fetishising really stereotypical sorts of things… The thing that actually affected me most was when I was just about to start University and I read an article, it was by one of the big-name feminists from the '70s… [The article was] basically saying that pornography used to be a substitute for sex for people, and now sex has become a substitute for pornography for people, because the things that now are popular in [pornography] are so much more extreme, and people want more and more extreme things, which cannot possibly be fulfilled in real sex with someone without causing serious damage to people both physically and mentally. So that just made me think that there's something quite sinister about this, underneath the fun veneer of it, the façade of it, which is brilliant for people to use as an excuse for it…" – *Francis, 25, heterosexual male and past consumer of pornography*

As Francis explains, his experience of becoming 'disturbed' by the content of the pornography he was encountering was compounded by an increased awareness and understanding of feminist critiques of pornography, which led to him making an active decision to cease accessing the materials. Francis also reflected that "when I used to watch porn, it was a lot less extreme I think than it is now in the past 10 years". For Steve, he had too gained an increased understanding of feminist critiques of pornography which he had found "quite useful" for "breaking down how porn is separated as a discussion from other things and how

it's treated differently", in analysing the "derogatory" language that is "used to describe the women in porn", and in exploring how to be both sex-positive and critical of pornography[23].

Meanwhile, like Francis and Steve, Lola had altered her pornography consumption due to an increased awareness of critiques of pornography and of the 'reality' behind the material. Lola was one of two participants (David, also) who were recruited through a gender-based violence young people's group that focused on pornography. Both of these participants reported having changed or altered relationships with pornography after participating in the group and as a result increasing their understanding of the experiences of pornography performers and the pornography industry from a gender-based violence perspective. Lola explains that it was this increase in understanding and awareness that altered her relationship with and consumption of pornography:

> "I put my hands up – I used to watch porn… a lot – not *a lot* a lot, I didn't have an issue or anything, but I used to watch it alone and I used to watch it with a partner and I enjoyed it, until I actually learned what was going on behind the scenes and that completely ruined anything I got from that, because I knew now that it was completely fake and… like, hearing the stories [through the gender-based violence young people's group] of some of the actresses, and then I heard the story of an actress that I'd actually seen [in pornography] […] She was talking about how she had a sixteen hour shift and she only made an hour-long video… and she'd said specifically no anal and no double penetration… and by the end of it she'd been blackmailed into letting five guys inside her at once…" – *Lola, 19, heterosexual female and occasional consumer of pornography*

As Lola explains, it was through increased understanding of the processes involved in pornography production and the harms experienced by those depicted in materials she had herself consumed that altered her perspectives on and consumption of pornography.

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[23] In fact, after having discussed feminist critiques of pornography in existing publications with the researcher during the interviews, Steve expressed a desire to obtain copies of *Everyday Pornography* (Boyle 2010b) and *Big Porn Inc.: Exposing the Harms of the Global Pornography Industry* (Reist and Bray 2011) to further his knowledge, understanding and exploration of these issues.

This factor of potential harms experienced by those depicted in pornography was also discussed by Willow. For Willow, these potential harms were the reason for her altering the *types* of pornography she consumed, choosing instead to predominantly view animated or cartoon materials alongside non-pornographic sexually-suggestive video clips extracted from mainstream films and television programmes. Willow expressed concern towards the women depicted in pornographic materials, and explained that she felt viewing animated or cartoon materials was "less bad" as it does not depict "real people" and, by viewing these materials instead of those depicting real people – particularly women – , she was therefore not complicit in harms experienced by those depicted in pornography (as discussed further in Chapter 5.4)

Meanwhile, Steve discussed actively attempting to reduce the amount of pornography he viewed, and his accounts illuminate the difficulties he had encountered when making these attempts and his complex relationship with pornography – an experience that is not exclusive to Steve. When discussing the media through which he accessed pornography, Steve explained:

> "I've got a phone with shitty internet, and sometimes I don't have a laptop […] and I just wanted to wank to some porn, so I went on my phone and worked out how to use the internet […] I know other people's phones have the capacity to stream and download as much as a computer does, and I would say that would be a small contributing factor to the reason why I never want to have one of those phones, because I think the breaks that I feel are quite necessary – and I'd like to turn them into more permanent breaks from consuming porn – would be hindered if I could do it on my phone. I think I can detach myself from computers easier than if it was my phone in my pocket…" – *Steve, 25, queer male actively attempting to reduce pornography consumption*

It is apparent from Steve's account that mobile technologies greatly contribute to the accessibility of pornographic materials and, for Steve, having access to these technologies constitute a hindrance to his active attempts to reduce pornography consumption. As Steve further discusses, the ease of access to pornographic materials mediated by technology and internet access have impacted upon his attempts to reduce his consumption of pornography:

"Through high school, I built up a substantial collection of magazines – quite a big one – and I probably would have taken them to my mum and dads' house and put them in the loft and just stored them out of the way, but I would have needed a suitcase and I wouldn't have been able to explain the suitcase, so that was the point I threw them all away, I threw them all away, I didn't want them anymore, didn't want *that* any more, and I really knew that that was not what I was wanting any more, and then some time passed, and I went and bought some magazines, and now I have a small stack, nothing of what I would have had six/seven years ago, and I imagine at some point I'll throw them away because I'll be like 'this is not what I want', but I don't know. I hope I'm not tied into a cycle, because I have the agency to break that, but it's something of a pattern I've recognised, and one that computers undermine, because you can't just throw away your access to the internet, and it's so overwhelmingly accessible – check your e-mail and two seconds later you can be looking at porn, which is not the experience you have with magazines, especially when you don't have them, you have to go and get them…" – *Steve, 25, queer male actively attempting to reduce pornography consumption*

Alongside the impacts of technology and internet access upon Steve's attempts to reduce his consumption of pornography, his account highlights concern that he may be "tied into a cycle" or "pattern" of pornography consumption, explaining further:

"It's a tricky relationship, because it is really just about willpower. I recognise the negative effects porn has on me, so something I would definitely like to do is to stop – or to minimize – the amount of porn I consume, because I know that other ways of relating to my sexuality are so much more rewarding, and that the more porn I consume the less ability I have to relate to other ways of being sexual and so on, the impact it has on my imagination, or my energy, and that sometimes you end up in really ridiculous situations where I prefer to be on my own with representations of sex than actually have sex, and that I recognise as not healthy […] I have recognised that there's a bit of a tension and a bit of feeling sometimes that it would be easier – *easier*, I guess that's quite a revealing word – easier to just watch some porn than to have sex with somebody. It's fucked up, that actually it's visual representations that are totally un-interactive that have somehow replaced all that sex can be […] all of the important

things that make sex amazing like skin, and touch, and warmth, and all these things… so that's quite a problematic relationship. I guess it's a long term sort of thing, but I'd like to consume less, or not at all…" – *Steve, 25, queer male actively attempting to reduce pornography consumption*

Steve's perspective on his attempts to reduce or discontinue his consumption of pornography is compounded by an acknowledgement of a problematic relationship with pornography and a disinterest in sex due to it sometimes being "easier" to view pornography than to engage in meaningful sexual interactions with others. Steve's momentum towards seeking a more authentic sexuality based upon embodied interactions with others is reminiscent of Dines' (2011a) assertions on boys, sexuality and pornography:

> 'Porn is actually being encoded into a boy's sexual identity so that an authentic sexuality – one that develops organically out of life experiences […] – is replaced by a generic porn sexuality limited in creativity and lacking any sense of love, respect or connection to another human being.' (Dines 2011a, cited in Reist and Bray 2011: xvii)

Francis corroborated Dines' (2011a) above assertion, describing how his experiences of viewing pornography with peers as an adolescent 'prepared' him for continuing and increasing access to pornography compounded by messages linking masculinity with pornography consumption:

> "There was loads of pressure for everything, you don't see it a lot of the time, but thinking back it was crazy, and a lot of those people who I was friends with then haven't really moved on from that attitude either, it's just who you're flung in with at school […] it was strange because it wasn't really sexual because you didn't stand around with a hard-on with all your mates […] and it was again this jokey sort of thing, it was really peculiar actually, this strange kind of asexual thing, but it almost prepares you – especially for an adolescent male – the way for just accepting, and then it becomes sexual as an alone thing […] It progressed into where you wouldn't watch porn with your friends any more, but you'd talk about 'Oh yeah, did you see that thing last night?', and it had this strange kind of social aspect to it where it's a manly thing to do to consume this, and what I'd find it that a lot of the things that were in the

[Spectrum II Text Cards] would start to creep into things, and you'd find it on your mind [...] I think because it's so explicit it's like 'Well, we can get away with anything here' and if you have a problem with it you're just a square, you're just vanilla, you don't get it..." – *Francis, 25, heterosexual male and past consumer of pornography*

As demonstrated above, Francis expressed that these prevailing messages that link masculinity with pornography consumption render those who cease access or question its content as "a square", "vanilla" and as a person who "[doesn't] get it" – as Boyle (2010a: 144) also observes: 'Porn use is an in-joke, a homosocial experience, a 'natural' expression of youthful sexuality'. Moreover, as Boyle (*Ibid*) further asserts, 'it is the porn *refuser*, and not the consumer, who is truly marginalised, particularly in genres aimed at young people', further explaining:

'Critique is headed off through the assumptive address of lads' magazines (we're all in this together), their self-depreciation (we know we're dirty little sods and we don't care), as well as the naturalisation of young men's porn use here and across popular culture (boys will be boys).' (*Ibid*).

Francis' lived experiences as a young heterosexual male and a 'porn *refuser*' – in conjunction with Boyle's (*Ibid*) and Dines' (2011a) observations – point to cultural conditions wherein masculinity and maleness are directly equated with pornography consumption. However, despite these conditions, this research demonstrates that there are young males actively engaging with feminist critiques of pornography and honestly interrogating the role pornography plays in their own lives, outwith membership of feminist groups or therapeutic settings. These findings pertaining to cessation or reduction of pornography consumption are therefore significant in increasing knowledge on young people's perspectives on and relationships with pornography, by re-envisioning how we ask the question of pornography and young people – shifting the investigative framing from *why are young people viewing so much pornography?* to *why are some young people ceasing access and choosing to view so little?*

4.1.4 Initial Contacts with Pornography

This Section presents an overview of young people's initial contacts with pornography. Beginning with an overview of the ages at which young people had their initial contacts with pornography (4.1.4.1), this Section then outlines the context (4.1.4.2) and content and media (4.1.4.3) of young people's initial contacts with pornographic materials. The findings in this Section were analysed through grounded textual analysis and utilised the definitions of pornography offered by young people (outlined in Chapter 3.1) to differentiate between pornography and other sexual or sexualised media in the data.[24]

4.1.4.1 Age of Initial Contact with Pornography

Ages of initial contact with pornographic materials varied greatly, with a range of 8 to 19 years old. The mean age of initial contact with pornographic materials was just below 13 years old, and the median age was around 11 ½ years old. The majority of the young people reported both continued and increasing access to pornography since these initial contacts. Meanwhile, three participants' access to pornography was infrequent since their initial exposure, while one participant (Francis) viewed pornography as a teenager but ceased accessing pornographic materials (as discussed previously in Section 4.1.3) and a further participant (Sam) ceased viewing the materials following initial contacts instigated by a previous partner.

4.1.4.2 Context of Initial Contacts with Pornography

The majority of the young people experienced their initial contact with pornography alone, the media through which they accessed these materials being discussed in Section 4.1.4.3. However, during adolescence, over half of the young people were shown materials by peers, introduced to materials by peers, or shown materials by a partner, and many of these instances were unsolicited by the young people. Of the young people who were shown or introduced to pornographic materials by peers during their adolescence, many of these instances were unsolicited. The young people were predominantly shown or introduced to

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[24] For example, in the data pertaining to Juan's initial contacts with pornography, he discussed consuming the 'Dear Deidre' column in *The Sun* for the purpose of sexual arousal as a child. However, as this material does not wholly meet the definition of pornography offered by the young people (as in Chapter 3.1), this contact was not factored into the data analysed pertaining to initial contacts.

pornographic materials by school friends either within school or outside school, with some participants also reporting that they were shown or introduced to materials by neighbours of a similar age and by older family members (as in the case of Andrew's cousin). It was more common among male participants for their initial contacts with pornography to be with peers than it was among female participants, and the content of the materials encountered by male participants through peers was generally more explicit – such as images of ejaculation onto a woman's face, shown to Charlie by a neighbour aged 11, and hardcore pornographic DVDS given to Juan by a friend when he was aged 13.

Two participants (Jane and Sam) experienced initial contacts with pornography with a male partner. While Jane had previously accidentally viewed pornographic advertisements on the internet, her first contact with pornographic videos was with a partner. Likewise, Sam's initial and only contact with pornography was with a previous partner through streaming pornographic materials online, as discussed in Chapter 4.1.1.2.

Table 27 below presents an overview of the frequencies of young people's purposeful access to pornographic materials since these initial encounters.

Table 27: Frequency of Access since Initial Contacts with Pornography

Frequency of Access	Number of Participants
Continued Access	15
Infrequent / Intermittent Access	1
Ceased Access	2
Total:	18

As indicated by the above table, since their initial contacts with pornography almost all of the young people continued to access pornography, at least several times per month (as discussed in Section 4.1.1.1). As discussed previously in Section 4.3, two participants (Francis and Sam) had entirely ceased access to pornography at the time of interviews.

4.1.4.3 Content and Media of Initial Contacts with Pornography

In terms of content, young people's initial contacts with pornography included still images of naked women, still images of explicit sexual activity, pornographic videos, and sexually explicit cartoon images. In terms of media, this content was encountered by participants online, in magazines, on DVDs, on pornographic television channels, on peers' mobile phones or computers, and images printed out by peers from the internet. Regarding both the media and content of pornographic materials, there was a clear trajectory from initial exposure in many participants' experiences. Often participants initially encountered still images online, in magazines or through peers, and then progressed onto streaming or downloading pornographic videos on the internet (and, in some cases, acquiring pornographic DVDs and accessing pornographic television channels).

4.1.5 Self- and Peer-Produced Sexually Explicit Materials and the Replication of Sexual Activity as Depicted in Pornography

This Section discusses the findings pertaining to the production and sharing of sexually explicit materials. The research found that participants had far more experience of viewing pornography, both alone and with peers and/or sexual partners (as discussed throughout Chapter 4.1.1), than with the production of sexually explicit materials. This Section therefore discusses the most frequently occurring elements within the findings pertaining to production of sexually explicit materials: the replication of sexual acts as depicted in pornography (4.1.5.1); the production and sharing of self-produced materials (4.1.5.2); and the viewing of sexually explicit materials depicting peers (4.1.5.2).

As discussed in Chapter 1.2.1, Ringrose *et al* (2012) found that that many young people had engaged in the production, access and recirculation of self- and peer-produced sexually explicit materials, alongside findings indicating that pornography is frequently distributed among young people, stating: 'the production, consumption and distribution of sexual communications is becoming an increasingly taken-for-granted – yet problematic – feature of the social and cultural landscapes they inhabit' (*Ibid*: 25). Ringrose *et al's* (2012) findings therefore demonstrate the importance of investigating the production, access and recirculation of both peer- and professionally-produced pornographic or sexually explicit

materials – and differentiating between these materials – when conducting research on young people and pornography. This research found, however, that the majority of the young people had not often (or, in many cases, not at all) engaged in producing, accessing, distributing or recirculating self- and peer-produced materials. This difference in findings may be attributable to the age of the young people (18 – 25, compared with Ringrose *et al*'s (2013) sample being aged 11-16).

4.1.5.1 Replication of Sexual Acts as Depicted in Pornography

The replication of sexual acts as depicted in pornography refers to the replication or 'acting out' of specific sexual acts as depicted in pornography in participants' own interactions with sexual partners. The replication of sexual acts as depicted in pornography was not initially included in the interview materials or questions. At the beginning of the fieldwork process, David contributed a Text Card – "Acted out something in your sex that you saw in porn" – to Spectrum I investigating young people's experiences of and perspectives upon their pornography viewing habits and self-produced pornographic materials (as outlined in Chapter 2.2.1.2). During the course of the fieldwork, this contribution was discussed by many participants as pertinent to their experiences or perspectives on pornography. Through analysis of participant responses, it became clear that this process of replication was predominantly indirect, with most discussing a subtle subconscious process of pornography influencing sexual interactions and only a handful of participants discussing having purposefully replicated sexual acts depicted in pornography they had viewed.

Young people replicating specific sexual acts directly from pornography has been documented in previous research (Rogala and Tydén 2003), wherein a correlation was found in the prevalence of anal sex in pornography with a higher incidence of young women having anal sex in their own lives, alongside increased pressure to do so. Juan, for example, saw clear links between the sexual acts in pornography he had viewed and what specific sexual acts he participated in:

> "Well, yeah… I do think that what I do in the bedroom is certainly reflected by what I watch in porn, and something that I'd enjoyed [in porn] I'd then wanted to do, or

something that I've thought was quite sexy I've wanted to act out…" – *Juan, 21, gay male and frequent consumer of pornography*

Similarly, Jane discussed having "tried some things with my partner which we had seen either together or I'd seen alone". Meanwhile, Seph discussed having purposefully replicated activities as viewed in pornography with her fiancé, while acknowledging that not all of this replication may be purposeful, explaining:

"I think we have done some things specifically, intentionally… though most of the times, probably not… like, you watch porn, you have sex, it doesn't turn out like the porn… I don't know, it probably does influence us, yeah…" – *Seph, 22, bisexual female and frequent consumer of pornography*

Indeed, many of the young people who discussed having replicated sexual acts as depicted in pornography described this potential link as an unconscious or subconscious process, and also as being potentially problematic – an experience cited by Steve as a motivation for reducing or ceasing access to pornography (as discussed previously in Section 4.3). These young people expressed that such replication of sexual activities as portrayed in pornography was both unintentional and an inevitable consequence of viewing pornographic materials, such as Sasha:

"I think there's a lot of people who just consider porn as something that they just watch and it doesn't have any impact on their lives, but I think of course it does, and I think you carry those images or ideas around with you, and certainly into your own sexual experiences, whether consciously or not…" – *Sasha, 23, pansexual female and frequent consumer of pornography*

In addition, many of the young people cited the lack of adequate sex education in school as having an impact on replicating sexual behaviours as depicted in pornography (with Charlie explaining that "a lot of people learn about sex through porn") and expressed that in the absence of adequate sex education as a young person it was inevitable that young people learned about sex through pornography. Outwith formal educative contexts, the research also found that many of the young people felt a more generalised dearth in open cultural

dialogues around sex, sexuality and intimate relationships contributed to this perceived replication (as discussed further in Chapter 5.5).

Meanwhile, several participants discussed the influence of pornography upon the adoption of power dynamics in young people's own sexual interactions and the pressure to replicate sexual acts and behavioural tropes as depicted in pornography. Sam stated that the influence of pornography in this way was problematic, explaining:

> "…because that's not the same dynamic that you would normally have in your own relationship, and that's not nice for either partner – because one feels like they have to act one way, and the other one feels like they have to be acted upon in that way… I don't like that…" – *Sam, 23, pansexual and past exposure to pornography*

Sam's contributions highlight questions around the provenance of sexual norms (such as gender, race and class-based power dynamics) as portrayed in pornography, as to whether pornography perpetuates these already-existent sexual norms or in fact creates new dynamics in young people's own interactions with sexual partners.

Similarly, racial stereotyping and – as Jo stated – "blatant racism" within pornography was discussed as being a problematic, while several female participants also discussed the negative impact of pornography upon their body image and sexual confidence. Jane, an Asian female, discussed the pressure to replicate the sexual behaviour of (predominantly white Western) women depicted in pornography:

"Yes, actually my partner – he introduced me, I'd say, to pornography… it was quite strange […] I tried some things with my partner which we had seen either together or I'd seen alone […] I think I felt ashamed, but at the same time interested… I looked and I didn't believe them, I felt that there is some kind of lie between people and in their behaviour […] in what noises they make and what kind of motions they show […] In the beginning, for instance, when I didn't have so much sexual experience, when I was viewing pornography and seeing them having so much pleasure, I was thinking there was something wrong with me, or when I saw they were very open I thought maybe I should be very open, so you kind of make parallels between your behaviour

and the behaviour in pornography because 'Oh my god, they're having so much fun' […] Because most pornography which we have seen is kind of European-style, so they had silicone etcetera etcetera, which was also misleading – so I think it makes you more miserable than you should be, well you shouldn't be at all, but…!" – *Jane, 25, heterosexual female and frequent consumer of pornography*

For Jane, the replication of sexual acts as depicted in pornography with her partner had been purposeful in some instances, yet she also experienced pressure from these pornographic depictions to replicate the behaviours of the women depicted in the materials. Moreover, Jane discussed at length the pressure her, her Asian peers in the UK, and her peers in Kazakhstan were under to adopt the appearance of white Western women, with some of her Kazakhstani peers undergoing surgery to their faces and receiving silicone breast implants, with Jane equating this impetus for women to change their bodies with the increasingly 'pornified' (Paul 2005) culture. The racially-specific experiences of Jane, alongside the accounts of other female participants, point to discomfort around the pressure to replicate sexual acts and behaviours as depicted in pornography.

4.1.5.2 Production and Sharing of Self- or Peer-Produced Materials

The young people generally had limited experience of the production and sharing of self- or peer-produced materials. Most of the young people cited the fear of self-produced materials being made public as a motivating factor for not engaging in this behaviour. Some participants (such as Hayley, Jane, Juan and Jo) had produced sexually explicit images and videos for and with long-term sexual partners, which most reported as a being a consensual experience within the context of a trusting relationship. Despite trusting her boyfriend, Jo, however, reported "freaking out" due to fear that the images of her could become public and requested that her boyfriend delete the images. Willow and Sasha's accounts, however, diverged from this consensual narrative; Willow having had sexually explicit images taken of her without her consent by a sexual partner, and Sasha having engaged the production of "artistic" nude photographs and having had these photographs posted on a photography website by the photographer (also her sexual partner at the time) without her consent.

4.1.5.3 Viewed Sexually Explicit Materials Depicting Peers

A handful of young people had viewed sexually explicit images or videos of peers who were not sexual partners. For all of these participants, this had occurred in social settings where images or videos were shared or shown amongst peer groups. Within this, both David and Juan had viewed materials of peers; David had viewed explicit images during school hours of a young woman who attended his school, while Juan had viewed sexually explicit videos in social setting featuring his peers receiving fellatio. For both of these participants, viewing these materials was unsolicited and unintentional, as David explains:

> "[A girl at my school] was on webcam with her boyfriend on MSN or something and... he took [a picture] on his computer, and then he sent it to his pals... and it went all about school, everyone found it, and the police got involved – I didn't go intentionally looking for it, but just because everyone had it I ended up seeing it, someone showed me it on their phone..." – *David, 18, gay male and frequent consumer of pornography*

While the image of David's peer was shared around his school, Juan discusses viewing videos shared among his peer group:

> "I've been in pubs before [...] and people have BlueToothed videos of a girl on the estate sucking someone off, and it's gone round the pub, and I've seen it and this is someone we all know – people do it sometimes, and it was really shocking that people do that, and that someone could allow themselves to be videoed [...] I think a lot of men score brownie points or become a lad in sending these things round... even my brothers – I've been in the pub before and seen footage of my brother being sucked off – two of my older brothers, I've seen footage of them. I've been in the pub with my brother and his friends are like 'Look!' and I'd be like 'Ah man, I can't believe this is happening'..." – *Juan, 21, gay male and frequent consumer of pornography*

It is apparent from both David and Juan's accounts that these materials were both shared without the consent of the young women involved and were shared with David and Juan (both gay young men) who had no interest in viewing these materials. For Juan specifically, he cites the tropes of masculinity and "point-scoring" as motivating factors for the sharing of self-produced sexually explicit materials among male peer groups.

A few participants discussed the sharing of self- or peer-produced sexually explicit materials through mobile applications, specifically Grindr – a mobile application for gay men – and that people of all ages were engaging in this behaviour:

"It's not something only teenagers do, because I work in a bar for men of 50+ and they all do it to each other […] and also now we've got Grindr and all these things for gay men, someone will get something from someone they're chatting to and they'll just show it to everyone that's in their vicinity – like, 'Oh, look that this cock that someone's just sent me'…" – *Juan, 21, gay male and frequent consumer of pornography*

Both Lola and Juan discussed the Grindr mobile application for gay men as the medium through which they had viewed sexually explicit images of peers. For Juan, this was by using the Grindr application to meet gay men in his area, while Lola had viewed sexually explicit images her gay male friends had received through both Grindr and BlackBerry Messenger. Juan's experiences of using Grindr were mixed and he stated that although the mobile application was intended for adults, it was used by both young males below the age of 18 and below the age of legal sexual consent, and he had encountered younger male teenagers using Grindr. Due to this, Juan expressed fears and unease around the capacities to unintentionally view sexually explicit images of teenage males aged below legal sexual consent through the Grindr application.

4.2 The Range of Pornographic Content Viewed by Young People

"The thing is though, it's not as if any of this stuff is hard to get hold of…"

– Tom, 20, heterosexual male and frequent consumer of pornography

This Section discusses the range and types of pornographic content viewed by young people and their perspectives on these materials, in direct response to the current lacunas in the existing empirical research knowledge base (discussed in Chapter 1.2; Chapter 4 introduction). The findings are presented in three main categories of sexual content as depicted in pornography: 'mainstream' materials (Section 4.2.1); 'niche' materials (Section 4.2.2), and; violence-related materials (Section 4.2.3). Each of these Sections then outlines the frequencies young people had encountered the content within these categories, and discusses in-depth young people's perspectives on the content most frequently occurring the in data.

The findings discussed throughout this Section suggested that there is less of a clear demarcation between purposeful and accidental or unwanted exposure as posited in previous research (outlined in Chapter 1.2.1). This research found that young people routinely view acts both purposefully and accidentally throughout the course of a *single* pornographic video and that these unwanted exposures are regarded by many young people as a *necessary evil* with a variety of depictions ubiquitous throughout mainstream pornographic content.

Graph 1 below presents an overview of the range of pornographic content encountered by young people and the frequencies they had encountered each material. This range of materials pertains to both accidental and purposeful encounters with each type of pornographic content, with the conditions of young people's encounters with specific materials being discussed throughout this Section. Reflected in the data was a general trend amongst the young people to discuss the types and aspects of materials they disliked or would not purposefully view, with a certain degree of hesitance to discuss in-depth the why they chose to view the materials they viewed regularly. It is in this instance that the Spectral Elicitation method (outlined in Chapter 2.2.1) was pivotal in eliciting the rich and nuanced findings discussed throughout this Section.

Graph 1: The Range and Frequency of Pornographic Content Viewed by Young People
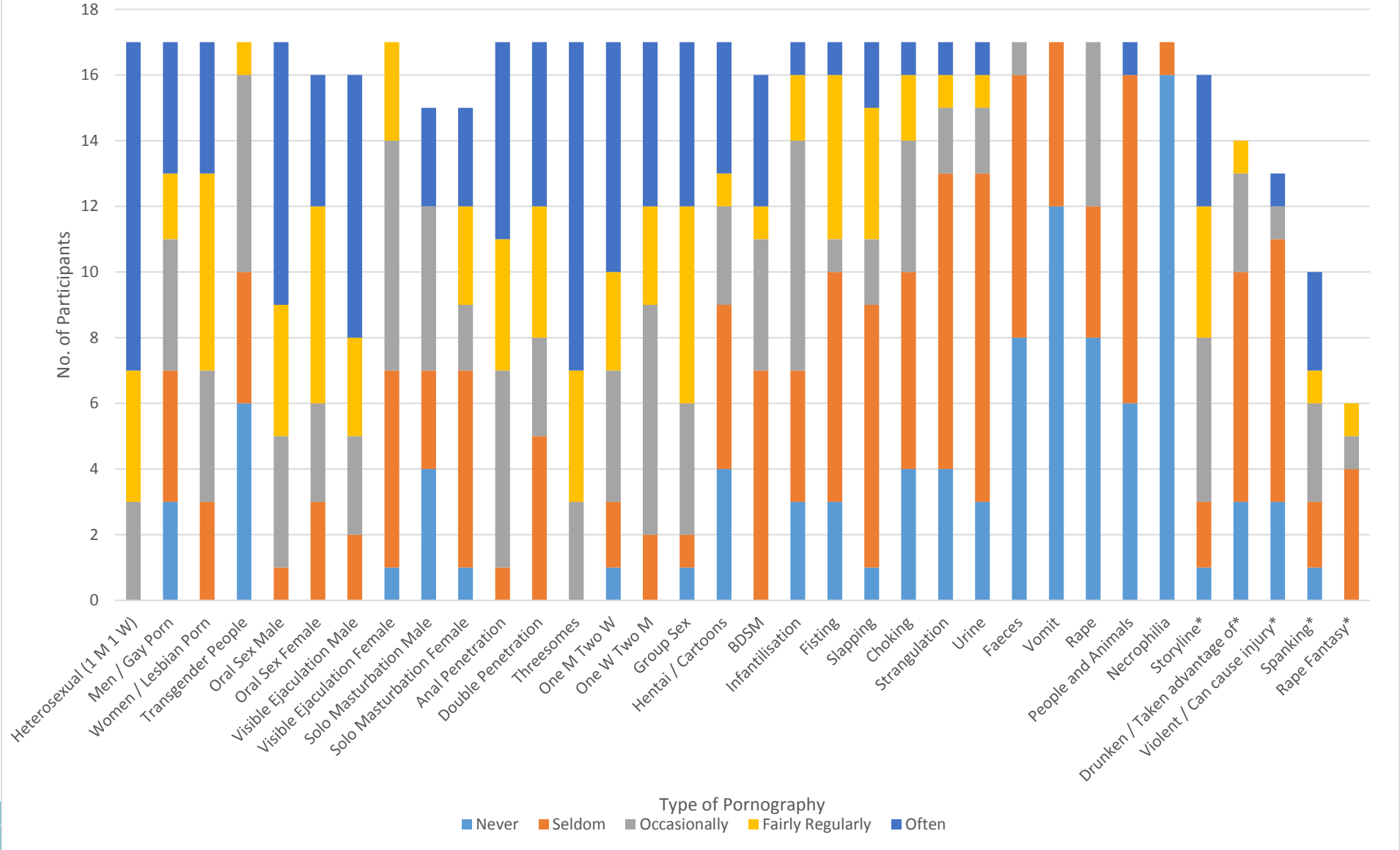
The five types of pornographic content featured in Graph 1 indicated with asterisks (*) were contributed by participants during the empirical research process, as outlined in Chapter 2.2.1.2. One participant – Francis – chose not to construct the Spectrum from which the numerical data was drawn (citing having ceased pornography consumption, as discussed in Section 4.1.3), which is reflected in the Graphs and Tables throughout this Section. Francis did, however, fully engage in discussion of the materials throughout this Section. For clarity, the genders of those depicted in sexual activity discussed (for example, 'Oral sex male' or 'Visible ejaculation female') all refer to cisgendered[25] people unless otherwise stated (for example, in the case of 'Transgender people').

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[25] Wherein the apparent gender identity is congruous with the sexual characteristics of the person depicted in the materials.

4.2.1 Mainstream Pornographic Content

This Section discusses the findings pertaining to young people's experiences of viewing and perspectives on mainstream pornographic depictions. While (as evident in Graph 2 below) young people had viewed a wide range of pornographic depictions, this Section presents the findings on the materials most frequently occurring in the data.

Graph 2 below outlines the frequency by which participants viewed mainstream pornographic content. Here, the data range was divided into 'Fairly regularly to Often', 'Occasionally' and 'Seldom to Never' and ranked according to what pornographic content was viewed most often by participants. Table 28 outlines the numbers of participants who had viewed each material and the frequency by which they viewed these materials.

Graph 2: The Range and Frequncy of Mainstream Pornographic Content Viewed by Young People
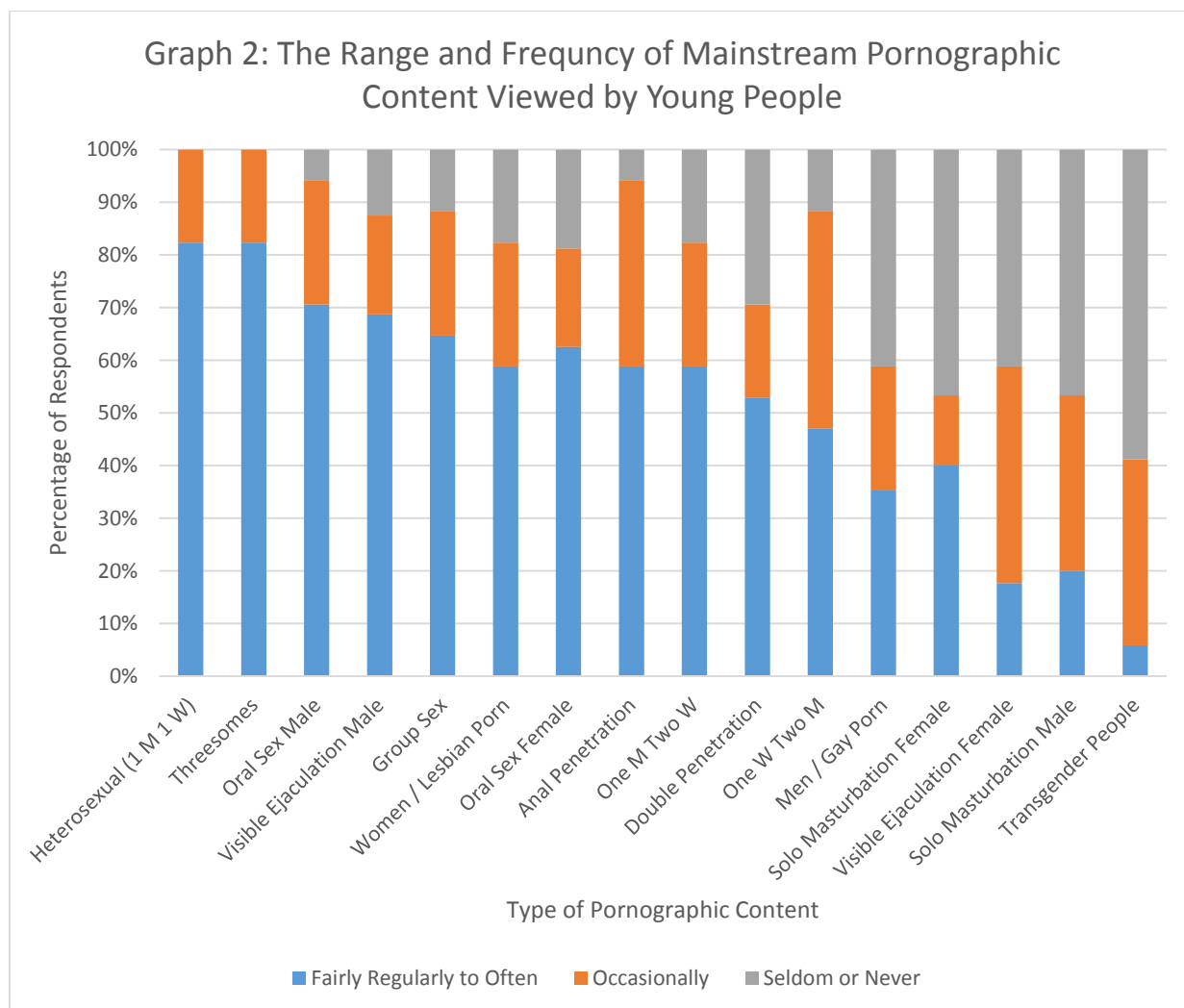
Table 28: The Range and Frequency of Mainstream Pornographic Content Viewed by Young People

Type of Content	Never	Seldom	Occasionally	Fairly Regularly	Often
Heterosexual (1 M 1 W)	0	0	3	4	10
Men / Gay Porn	3	4	4	2	4
Women / Lesbian Porn	0	3	4	6	4
Transgender People	6	4	6	1	0
Oral Sex Male	0	1	4	4	8
Oral Sex Female	0	3	3	6	4
Visible Ejaculation Male	0	2	3	3	8
Visible Ejaculation Female	1	6	7	3	0
Solo Masturbation Male	4	3	5	0	3
Solo Masturbation Female	1	6	2	3	3
Anal Penetration	0	1	6	4	6
Double Penetration	0	5	3	4	5
Threesomes	0	0	3	4	10
One M Two W	1	2	4	3	7
One W Two M	0	2	7	3	5
Group Sex	1	1	4	6	5

Graph 2 and Table 28 clearly illustrate that heterosexual pornographic content and threesomes (sexual activity involving three people) were the most commonly viewed types of pornographic content. Within the 'threesomes' category, the graph demonstrates that sexual activity involving one man and two women was more often viewed by participants than sexual activity involving one woman and two men. Oral sex performed on men and visible male ejaculation were also viewed by participants regularly, as were anal penetration, double penetration, group sex and sexual activity between women.

4.2.1.1 Heterosexual Pornographic Content and Sexual Preference

As indicated above in Graph 2 and Table 28, heterosexual pornographic content was the most viewed content by participants, with one-hundred per cent of participants having viewed this material. Within this, the majority of participants viewed heterosexual pornographic content involving one man and one woman often or fairly regularly. Interestingly, this type of pornographic content was so seemingly ubiquitous and normalised that the majority of participants passed little comment on viewing heterosexual materials involving one man and one woman, which is most likely due to the fact that '[heterosexual] material dominates the pornography industry' (Jensen 2011: 30).

What also emerged from the data was the apparent trajectory in preference among the non-heterosexual participants from initially viewing heterosexual materials towards exploring non-heterosexual pornographic content. These emerging preferences for non-heterosexual pornographic content were negotiated and formed alongside, or sometimes what appeared to be in opposition to, their gender and sexual identities and practices. For example, Sasha discussed at length how she has negotiated her preferences in the pornographic content she chooses to view and how she has subsequently balanced these preferences with her own gender and sexual identities and practices.

> "Generally I'm really not interested in straight porn, because I find that [...] it seems to be very concentrated on the male and the male's satisfaction, and so I don't really get anything from that. But I find that strange because I will watch a lot of gay porn between men, and there is no women featuring in that and there is no women's satisfaction – I have no idea why that is [...] Maybe it's because I identify myself as a woman – because the woman is absent, and because of my notions of the male, because it just means that gender or that typically submissive role that's given to the female just becomes obsolete. I guess it probably is because I am a woman is why I see it that way, I've never really thought about it as just replicating gender stereotypes, but I guess it does. But, a lot of the gay porn that I watch does not necessarily do that, it'll be a balance, so... I kind of questioned that a lot when I was younger, because I was watching a lot of lesbian porn and then moved onto gay porn and I sort of questioned what that meant about my own sexuality, because I was just not interested in straight porn at all. I think it was probably something inherent about not liking the idea of being put into that sort of submissive role as a woman, and that made me go for that sort of stuff instead of straight porn." – *Sasha, 23, pansexual female and frequent consumer of pornography*

On the surface, Sasha's gender identity may appear to be at odds with the pornographic content she chooses to view. For Sasha, however, mainstream heterosexual content contains unequal gendered power dynamics that repel her from viewing these materials. As a woman, the portrayal of the female subject in these materials is actually at odds with her own embodied experience of her gendered personhood. In viewing gay male pornography, the female subject is absent and the presentation of a female subject incongruous with Sasha's

own gendered self is therefore avoided. Sasha also expressed that a lack of control over the gendered power dynamics presented by heterosexual pornography was a further reason for her dislike of those materials:

> "I have sex with men and I don't have any problem with that, I'm just not necessarily interested in watching it because I guess in actual sexual relationships when you're with somebody you negotiate things and come to compromises, but when you're watching something this image is just being projected and you have no control over that, and I don't find it pleasing at all." – *Sasha, 23, pansexual female and frequent consumer of pornography*

Although Sasha stated there appears to be a 'greater equality' in gay and lesbian materials, she – as Willow and Jo also discuss in Section 4.2.1.4 – observed that "lesbian porn has become so unbelievably mainstream now, and is produced it seems predominantly for men to watch, so I've gone off that more recently as well". Sasha discussed viewing diverse forms of pornography "as a means to explore my own sexuality" and, as a result, observed that "as I've grown up and the things that I've watched have changed, it's changed with who I am and my thoughts on the world and sexuality".

For Juan and Neil, however, their identities as gay men are greatly reflected in the types of pornographic materials they choose to view, and – unlike Sasha – they both directly equated their sexual orientation and gender identities with the types of pornography they view. Juan describes the change in the types of materials he viewed, which occurred in tandem with his realisations about his own sexual identity:

> "I'm gay, so now I only watch porn with two men. Occasionally I'll watch porn with two men and one woman, but before I came out as gay and when I was younger and just getting into sex I'd watch a lot of straight porn and lesbian porn – or female on female porn [...] I've probably doubled or quadrupled the gay porn I watched as opposed to straight porn..." – *Juan, 21, gay male and frequent consumer of pornography*

Like Juan, Neil (a gay male) stated that his response to Spectrum II "shows [his] sexuality", as he predominantly viewed materials involving men. For Juan and Neil, they directly linked

their gender identities and sexual orientations with what pornographic content they viewed and furthermore expressed this link as an obvious or natural trajectory. Similarly, self-defined heterosexual male participants expressed an attitude that it was an obvious correlation that they did not watch materials depicting men engaged in sexual activity. Indeed, none of the heterosexual male participants reported purposefully or regularly viewing gay male pornography, whereas many heterosexual female participants did report viewing materials depicting sexual activity between men, between women, and transgender people.

4.2.1.2 Threesomes: Three people engaged in sexual activity

Alongside heterosexual pornographic content, the research found that threesomes (three people engaged in sexual activity) had also been viewed at some time by all participants, with many participants viewing these materials often or fairly regularly. Indeed, Seph stated that "group sex and threesomes and stuff like that, are again fairly normal – the kind of things I'd automatically imagine [when thinking about types of pornographic content]". Within this, materials depicting sexual activity between one man and two women (1M2W) was more often viewed by participants than sexual activity between two men and one woman (2M1W). Many participants noted the popularity of pornographic content depicting 1M2W, with David stating "if you type 'porn' into Google, that's what will come up" and Willow stating that sexual activity involving 1M2W was the only type of threesome she had ever seen.

Jo discussed the role of fantasy in the popularity of threesomes, stating that "any sort of threesome is easy to come across because it's considered to be a fantasy". This concept of 'fantasy' was elaborated upon by Charlie:

> "That's quite interesting – "one woman and two men" – because I think there's always this male fantasy of being in bed with two women having a threesome, but I guess at the same time – yeah, I think "two men and one woman" can be also be arousing as well, but there's obviously different takes on that…" – *Charlie, 25, heterosexual male and frequent consumer of pornography*

Like Charlie, David shed light on what people may find particularly appealing or arousing about content depicting 2M1W: "…women will be getting all the attention, and the men will be… like, one of them will be in one hole and the other in another, that kind of idea, and she'll

be serving them both, if you will". The data pertaining to threesomes suggested two gendered dynamics at play in sexual fantasies of pornography consumers pertaining to threesomes. Firstly, in the context of sexual activity involving 2M1W, as discussed above by David, there is an undercurrent of the male sexual domination of a woman. Secondly, in the context of 1M2W, there is a male fantasy at play pertaining to the fetishisation of sexual activity between women (as discussed further in Section 4.2.1.4) and the imagined male role in that sexual dynamic.

4.2.1.3 Oral Sex Performed on Men and Visible Ejaculation

Both oral sex performed on men and male visible ejaculation were viewed often by the young people, with around ninety per cent of participants having viewed these activities and around seventy per cent of participants viewing these activities often or fairly regularly. For the purpose of this analysis, these two categories within the range of pornography have been grouped together as many participants discussed these forms of sexual content as depicted in pornography in tandem.

The majority of the young people discussed the ubiquitous nature of male visible ejaculation in mainstream pornography, and within this many expressed that they did not purposefully choose to view these activities. The research found that due to the ubiquitous nature of oral sex performed on men and visible ejaculation in pornography, this content was regarded by the young people as a *necessary evil* of viewing pornography. As Jensen (2007:68) explains, the '"cum shot" is a nearly universal convention in pornography' and 'there is an obsession with ejaculating not just on a woman's body but into her mouth', an account corroborated by the young people participating in the research, such as Juan:

> "I think with most people who have penetrative sex, men who can ejaculate generally ejaculate in the sex, but porn is very obsessed with pulling out and showing everyone that you're ejaculating, so it is in most – because the viewer can't see that it's happening – it wouldn't happen with 99% of people having sex, but it is a big part of the finish of a porn…" – *Juan, 21, gay male and frequent consumer of pornography*

Indeed, as Moore and Weissbein (2010: 79) state, 'seminal display […] reinforces the realness of the sexual acts'. Echoing Juan's observations, Jo stated: "I don't think I've seen any porn

that doesn't involve loads of oral sex and then visible orgasm, even if it's hideously acted". Tom, meanwhile, commented upon the capacity of pornography's depictions of ejaculation to mislead the viewer: "Thing about ejaculation is they're grossly distorted sometimes... I think they show these colossal amounts of ejaculation which just doesn't happen in reality". Both Jo and Tom's comments highlight how depictions of oral sex performed on men and visible ejaculation are almost caricaturised within mainstream pornographic, with certain tropes (for example, copious amounts of semen) being facets of sexual activity as portrayed in pornography as opposed to sexual activity in general.

Likewise, what emerged during the empirical research is that many of the young people did not purposefully seek out or want to view oral sex performed on men and/or male visible ejaculation, yet found depictions of these activities to be pervasive and ubiquitous throughout pornographic content. As participants were invited to construct Spectrum II in light of materials they had both purposefully and accidentally viewed, many participants discussed how despite the fact they had no express desire to view depictions of these activities, depictions of these activities were a seemingly unavoidable cornerstone of the pornographic canon.

Indeed, during the feedback Interview Questions, Steve expressed that he liked how he was able to differentiate between accidental and purposeful exposure to materials within Spectrum II, explaining that he was therefore able to further explore his relationship with acts depicted within mainstream pornography, particularly male oral sex and visible ejaculation. For Steve, this was especially important in the context of depictions of oral sex performed on men and visible ejaculation:

> "Like, I avoid male ejaculation when I watch porn, but almost all porn has male ejaculation in it, so that being so heavily fetishised and that being almost the point of porn, it being the climax of what happens in porn for probably the majority of porn, that has an impact, regardless of whether you want to watch it, like I might stop porn before I see a guy cumming but that's because I know I'm going to see a guy cumming, so even if I don't see it I know it's there, so I have to stop it and actively not watch it if I don't want to see it. And the same with male oral sex, I have to skip a bit if I don't want to see it, usually be like a third of the video will be a guy getting a blowjob, like

almost every time. But then if you want to see female oral sex you probably have to look for it specifically – that's not something that's standard by any means." – *Steve, 25, queer male actively attempting to reduce pornography consumption*

Steve was among a number of participants who actively avoided viewing oral sex performed on men and male visible ejaculation. As explained above by Steve, he ceases viewing materials at the point of the male climax in order to avoid viewing visible ejaculation. Meanwhile Sarah stated that there's "something about male ejaculation that makes me feel really sick", explaining how she avoids viewing such an omnipresent facet of pornographic depictions:

"I generally avoid 'cumshots' and things like that. In my sex life, I don't mind somebody ejaculating in me, but often if I get ejaculate on me in a place that isn't in me, it makes me feel a little bit sick… so, yeah, I'll generally avoid stuff like that. And also, I generally find that the male ejaculation is the last thing in the video, so I'll watch the first part of the video, but not the end." – *Sarah, 20, 'questioning' female and frequent consumer of pornography*

Sarah's sentiments were echoed by Andrew, who also expressed disgust towards and avoidance of viewing visible male ejaculation:

 "…if you're going to watch sex videos you're going to see [male visible ejaculation], whether or not you want to. As I say, I'm bisexual so I'm not put off by men having sex, but as I was saying I don't particularly want to see the bodily fluids involved – I find that a bit unpleasant… But it's the sort of thing you're going to see. I don't know how that would impact in terms of the viewing figures and that therefore driving what people were making these things that people want to see, because if people were watching it for elements – there are several elements in the video and people aren't necessarily watching it for all of those elements…" – *Andrew, 23, bisexual male and frequent consumer of 'real sex' videos*

Andrew's comments question the nature of supply and demand in mainstream pornography, wherein he questions whether the presence of visible male ejaculation encourages producers

to continue involving these depictions in pornographic videos, despite the fact that some or indeed many viewers many choose not to view these elements of the video.

A number of the young people discussed choking as an act that often features in materials depicting oral sex performed on men and, to some extent, this choking is fetishised alongside visible ejaculation as markers of male enjoyment, as Jo explained:

> "There's like a format to most porn that I've seen – normally, some sort of really, really awkward, horrible blowjob, where she's almost choking on his 'super huge cock', then some sort of reciprocal oral sex, and then just like 'Watch me go!' pretty much – and I think that that's basically all it is, and then he cums all over her – there's always some sort of visual display of the fact that he has cum – that's key to any straight, one man, one woman, porn…" – *Jo, 23, heterosexual female and occasional consumer of pornography*

Like Jo, Charlie also discussed choking in the context of oral sex performed on men, within which he speculates that women choking while performing oral sex is a purposeful drive within the industry rather than an act that consumers specifically wish to view:

> "I think sometimes in porn girls will be put in a position where a blowjob is expected and a blowjob is a part of male-female porn, and sometimes I suspect in the industry there is maybe momentum towards – if a girl doesn't choke at any stage while she's giving a guy a blowjob, then she's not trying or something, or it's not a popular blowjob or something like that…" – *Charlie, 25, heterosexual male and frequent consumer of pornography*

Charlie explained that although he does not think women asphyxiating during oral sex generally turns men on in their own sex lives – something which he personally felt "very uncomfortable" about – he did believe that the remoteness of pornographic depictions allowed for more extreme activities to be accepted by viewers:

> "In porn you're more remote from it, so things become normalised on these porn website communities, so I think you are quite distanced from the actor/actress. I actually think what choking means to most guys is that the girl is taking the guy's cock

further down, it's a deeper blowjob so it equals more pleasure for the guy, not more discomfort for the girl, so the fact that the girl is in discomfort is almost beside the point to most guys, it's just something the girl kind of puts up with along with performing the sexual act. I get the impression that some girls like choking, like… when you asphyxiate yourself whilst masturbating, or generally like that kind of self-harm thing and that ability to put yourself in that situation and have control over it. So there's a combination of that, the girl being abused – not abused, but going along with something that is causing discomfort because that's normalised in the industry… So I think that probably is something that pops up in a lot of pornographic content – you don't know when it's going to happen either, it's not something you can necessarily screen – maybe if there was more accurate labelling of porn that you were about to see, then I suspect less people would engage in it…" – *Charlie, 25, heterosexual male and frequent consumer of pornography*

Charlie's statements perhaps manifest a self-fulfilling prophecy: while discussing the normalisation of oral sex-induced asphyxiation within pornography he justifies these depictions by stating that some women enjoy being asphyxiated. Charlie also discussed the popular pornographic genre of 'bukkake' – 'a term that indicates large numbers of men ejaculating onto a woman or women' (Jensen 2007: 68) – being readily available on pornographic websites. The participants' commentary on the momentum towards these depictions on an industry level demonstrates that as consumers of pornography the participants are aware of a third element within in the dynamic of viewing pornography; the relationship between the viewer and the pornographic material being mediated by the third element – the pornographic content generated and distributed by the pornography industry. Moreover, despite many of the young people's hesitance to actively view depictions of visible ejaculation, due to the ubiquitous nature of this content within pornographic materials viewing unwanted content was seen as a *necessary evil* of viewing pornography.

4.2.1.4 Sexual Activity between Women

The majority of the young people had viewed sexual activity between women, with almost sixty per cent of participants viewing this pornographic content often or fairly regularly. David stated that "lesbian porn is massive", reasoning its popularity is "because it's such a male-dominated industry and a lot of men like [lesbian pornography]". Similarly, Tom stated that "a lot of heterosexual guys enjoy watching two women having sex" and that "a lot of guys do watch lesbian scenes". A number of the young people were critical of the portrayals of sexual activity between women in mainstream pornography, explaining that these materials are misleading, produced by and for heterosexual men, and serve to perpetuate stereotypes about women's sexuality – observations corroborated by Morrison and Tallack (2005). Willow discussed how "so-called lesbian porn" is "really geared towards male enjoyment… because that's what it's all boiled down to". Similarly, Jo explained how she felt these portrayals were both misleading and "massively offensive", and stated that much of materials depicting women engaged in sexual activity perpetuate the notion that "a woman can't get off unless she's got a cock", describing this attitude as "just wrong" and demonstrating that "that porn promotes stereotypes that are wrong and dangerous".

4.2.2 Niche Pornographic Content

This Section outlines the findings pertaining to 'niche' pornographic content viewed by the young people. The research found that the majority of the young people had viewed materials with storylines – a niche category given the increasing momentum towards gonzo and wall-to-wall content – discussed in Section 4.2.2.1, and that many had also viewed materials depicting infantilisation (4.2.2.2), fisting (4.2.2.3), urine (4.2.2.4), and faeces and vomit (4.2.2.5).

GRAPH 3: THE RANGE AND FREQUENCY OF NICHE PORNOGRAPHIC CONTENT VIEWED BY YOUNG PEOPLE
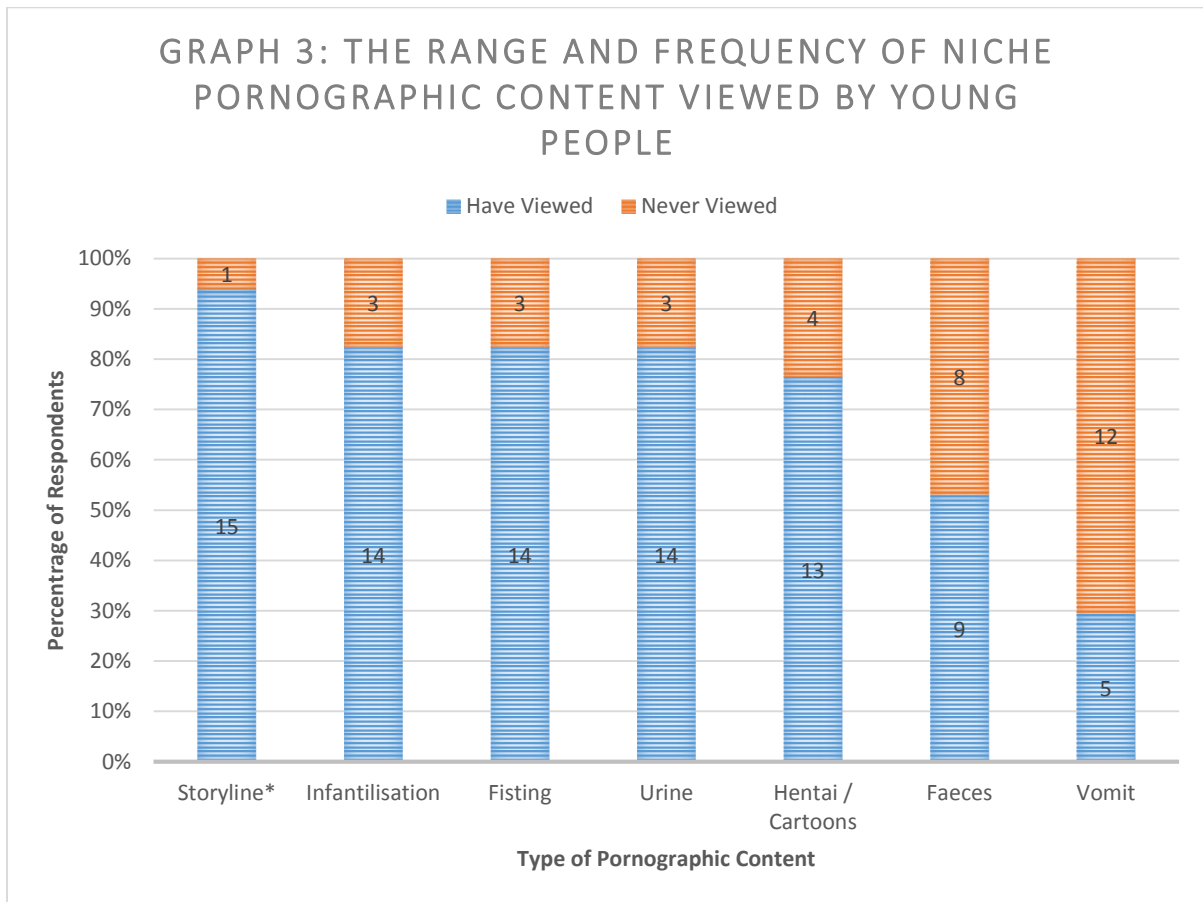
Table 29: The Range and Frequency of Niche Pornographic Content Viewed by Young People

Type of Pornography	Number of Participants				
	Never	Seldom	Occasionally	Fairly Regularly	Often
Storyline*	1	2	5	4	4
Infantilisation	3	4	7	2	1
Fisting	3	7	1	5	1
Urine	3	10	2	1	1
Hentai / Cartoons	4	5	3	1	4
Faeces	8	8	1	0	0
Vomit	12	5	0	0	0

Graph 3 and Table 29 above outline the range of niche pornographic content viewed by participants. The data indicates that pornography involving a storyline was the most commonly viewed niche pornographic content, while materials involving infanstiliation, fisting, urine and animations had also been viewed at some time by the majority of participants.

Over seventy per cent of the young people had viewed animated or cartoon sexually explicit materials (such as Hentai) at some time, with five participants viewing this content often or fairly regularly. As the young people were invited to discuss animated pornographic content in the context of legal regulation of pornography, substantive discussion of young people's perspectives on animated materials can be found in Chapter 5.4.

4.2.2.1 Storyline and the Propensity towards 'Gonzo' Materials

The research found that almost fifty per cent of young people viewed pornographic materials involving a storyline fairly regularly or often. Storyline pornography is that which contains a narrative or plot, whereas most mainstream pornographic content falls into the category of 'gonzo' and 'wall-to-wall' materials - 'simply recorded sex, often in a private home or on some minimal set' (Jensen 2007: 55). As Jensen explains (*Ibid*: 57), 'gonzo' and 'wall-to-wall' materials are often 'formulaic', depicting a woman performing oral sex on man (sometimes oral sex on woman), followed by vaginal penetration:

> "Wall-to-wall' […] In some features, vaginal will be followed by anal penetration, before the "cum shot" or "money shot" – the man ejaculating onto the woman's body or into her mouth. In gonzo, those same acts are featured but typically are performed in rougher fashion, often with more than one man involved, and with more explicit denigrating language […] In gonzo, there is an expanded repertoire of sexual acts, including several distinctive sex practices that are, if not unique to pornography, certainly far more prevalent in pornography that in the world off camera. Those include the double-penetration, double anal, double vag, and ass-to-mouth.' (Jensen 2007: 57)

When Steve contributed the 'storyline' Text Card into Spectrum II, he explained that it was his preferred type of pornographic content:

"…like, 'storyline' as against 'gonzo', because my preference is mostly for storyline, unless I'm really lazy, in which case it's whatever is really accessible first… I know different people create storylines in their head for gonzo as well, but I don't really do that, I would definitely prefer storyline, but usually there's not a great deal of it, or the majority of what is there is older stuff, usually quite shitty stuff, like I think infantilisation is often placed in that, in a storyline sense, to create that feeling of the person being young…" – *Steve, 25, queer male actively attempting to reduce pornography consumption*

As Steve and other participants discussed, much of the pornographic content involving storylines is often older material, which points to the increasing momentum of the pornography industry towards gonzo pornography (see Tyler 2010: 57-58).

While Steve expressed that, if convenient, his preference was for materials depicting a storyline, a number of participants actively preferred to view 'gonzo' and 'wall-to-wall' pornography. Sasha explained she had placed the 'storyline' Text Card near to the 'Never' end of Spectrum II because "I don't watch pornography for the story or the plot, I just watch it as a means to an end". Juan, meanwhile, explained why he generally chose not to view pornographic content with a storyline:

"… a lot of storyline in the porn industry are fucking shit, they're just ridiculous – I've watched some porn that have quite good storylines and it added to the enjoyment. To be honest, usually I'll watch a porn for 5 minutes, and it's a porn that I've had saved and I know that I like, and I'll do it because I'm horny and I need a quick wank – and sometimes I'll watch a whole porn, and just be watching it and not really doing anything, and sometimes you can find a porn that has quite a good storyline in it – but usually I'll just watch a porn for the sex, and I'll skip through the chatting and the 'Let's initiate this'…" – *Juan, 21, gay male and frequent consumer of pornography*

Like Juan and Sasha, many of the young people discussed choosing not to view pornographic content containing a storyline as they generally use pornography as a "means to an end" or "because I'm horny and I need a quick wank". The 'gonzo' and 'wall-to-wall' pornographic content that the participants refer to tends to be hard-core pornography, containing graphic

depictions of sex acts (as outlined above, see Jensen 2007: 57). Meanwhile, soft-core pornography and indeed "older" pornography (as discussed above by Steve) tends to be that which contains storylines, as Juan explains:

"...when I started watching porn, when I watched the soft porn when I was 14 [years old] or something, it would be a film, it would be 90 minutes long, and there'd be 15 minutes between each sex scene, and I'd have to go through this horrendous acting... so it depends really, if the storyline's good then it's good... I think if the storyline's good it does add to it, but if it's not, I just skip to the sex..." – *Juan, 21, gay male and frequent consumer of pornography*

For some participants, the draw of soft-core pornography containing storylines was that it was less likely to contain extreme or offensive depictions. Although uncertain whether "it can be classified as porn", Willow discussed how (in addition to pornography) she now predominantly viewed sex scenes from mainstream films and television programs because "there's more of a story around it", explaining:

"...[these materials contain] more of a narrative which I find more erotic than the visible – like the really really visible – penetration or like that stuff that I actually find really un-erotic, and I think 'cause it's so... I mean it's really violent in many cases, so like stuff where it's people undressing each other and like in period drama for some reason I find that quite a lot more sexy and you can find things like than on Youtube really easily... and you know so many series are so highly sexualised nowadays... and often like the characters are much less two-dimensional, like the power play is not as straight forward as 'man dominates woman' kind of thing..." – *Willow, 25, queer female and occasional consumer of pornography*

For Willow, sex scenes in mainstream films and television shows – akin perhaps to what would have once been viewed as soft-core pornography – are far more appealing both as the sexual agents depicted in the images have undergone a process of characterisation and due to a dislike of mainstream pornographic depictions of gender-based domination. Indeed, the categories of 'soft' and 'hard' core pornography have undoubtedly shifted in recent years,

compounded by a shift on an industry level towards 'wall-to-wall' and 'gonzo' materials (see Tyler 2010).

Participants also commented upon the "ridiculous", "laughable" and farcical nature of many pornographic materials containing storylines. While Juan branded many of these materials as "cheesy", David dubbed them "ridiculous", explaining:

> "…they get some sort of set-ups, like an air hostess or a waitress, I don't know, some really daft stuff, it's a bit laughable I suppose a lot of the time, storyline stuff, like even if you don't go looking for it, there is sometimes stuff there that will have a wee bit of a script before they start, that's quite popular – *David, 18, gay male and frequent consumer of pornography*

Like David, Seph commented upon the conventions of materials containing storylines:

> "…so the "pizza man comes to the door" kind of stuff I think is fairly common… yeah, when you log into a porn site, it's usually a hilarious blonde with giant tits in various situations" – *Seph, 22, bisexual female and frequent consumer of pornography*

What David and Seph appear to describe is a fusion between storyline and gonzo pornography. Although these materials do not follow a narrative with interwoven sex scenes, there is a storyline present (such as "air hostess" or "pizza man") that sets up the dynamic of the scene, which is akin to role-play and sexual fantasy. As Steve discussed above in the context of infantilisation, storylines can be used "to create that feeling of the person being young". In a wider context, it appears a certain element of storyline or narrative are used within some 'wall-to-wall' pornography to create a dynamic within a pornographic scene, such as in the case of infantilisation.

4.2.2.2 Infantilisation: People depicted as being underage

The research found that almost all of the young people had viewed pornographic materials depicting infantilising content depicting adults as being underage, with around forty per cent of the young people viewing these materials occasionally. When discussing this type of pornographic content, it emerged that participants did not intentionally seek out these materials and many had critical views towards it, with the frequency of accidental exposure

and pervasiveness of these materials becoming apparent in the data – corroborating Dines' (2011b) discussions on 'the new lolita'. Sarah stated that "people portrayed as being underage is quite a common thing in porn, regardless of whether you're searching for it or not", an opinion echoed by David. Lola also stated that she had "seen people acting like they're underage, like the 'Barely Legal' types of sites where you're just not sure at all". This ambiguity around the ages of those depicted in the materials was also observed by Juan, who explained:

"With [infantilisation], I have actually clicked on a porn – because on the internet you can just see loads of boxes – to have a look, to be told the content was removed because the people were seen as underage…" – *Juan, 21, gay male and frequent consumer of pornography*

Alongside participants discussing the ambiguity around the ages of those depicted in pornography, the young people also discussed the potential of infantilised materials to encourage or normalise sexual activity between consenting and non-consenting parties, with Tom stating:

"People portrayed as being underage – so women who aren't [underage], who dress up as schoolgirls… it isn't good, I don't think, as it potentially encourages people to fantasise about having sex with little girls, which isn't on… so yeah, that's not good" – *Tom, 20, heterosexual male and frequent consumer of pornography*

Like Tom, Sasha commented upon the potential for infantilised images to have both cathartic effects upon viewers with predispositions towards child sexual abuse images and to encourage viewers to develop such dispositions:

"… I feel like it's really exploitative…in terms of whether having videos that portray people as being very young is a sort of cathartic means for people having those sort of fantasies about it… I think there are two sides to the coin, because of course it can [be preventative], but I'd imagine, like anything else, it can spur on people's fantasies and make them want to seek out those experiences in real life. For example, beside my "Often viewed" [on Spectrum II], things like double penetration, group sex, sexual activity between men, sexual activity between women, BDSM and spanking are all

things that I view on a regular basis, and they're all things that the more I view the more I think I would actually seek those things out in real life and experiment with those, so what is to say that someone who watches necrophilia porn or violent porn or rape porn, or porn with people being portrayed as underage are not going to seek that out too?" – *Sasha, 23, pansexual female and frequent consumer of pornography*

What Sasha touches upon here are issues surrounding causality in the context of her own experiences, within which she points to the normalisation of sexual activities within pornography potentially influencing people's own sexual behaviours outside of the pornography they view. Many of the young people discussed the potentially preventative capacities of these types of materials (discussed in Chapter 5.5), alongside the infantilised content within animated materials (discussed in Chapter 5.4).

4.2.2.3 Fisting

Most of the young people had viewed sexually explicit materials depicting fisting at some time, with a third of participants viewing this content often or fairly regularly. Most of the discussion on fisting was by the self-defined gay male participants, within which Juan discussed the popularity of fisting in gay male pornography:

"Fisting is really big – if you go on gay porn websites, you can get different categories of porn and if you click on a category it'll take you to what they have, and one of the categories is called 'Fisting' and it'll take you to hundreds of videos, it's so big…" – *Juan, 21, gay male and frequent consumer of pornography*

Like Juan, David had seen fisting "as categories at the side" of a website and "they'll be pictures there". David explained that although fisting is not a type of pornographic content he intentionally searches for, "it is really popular I think, I don't think it would be hard to find… because it's like a fetish, there's loads of stuff that does it". Unlike David, fisting is an activity that Juan had intentionally viewed: "I've purposefully looked for videos [of fisting], I'm not going to lie, like 'Man gets fisted' – I'll have a look at that". Moreover, Juan explained that he had viewed fisting "purely because I'm trying to get to the bit I'm trying to get to", indicating he had also viewed these materials because the activity of fisting was part of a video depicting

other sexual activities he wished to view, as opposed to seeking out depictions of that specific act.

For Neil and Jane, however, their experiences of viewing materials involving fisting was more due to inquisitiveness. Neil explained that he viewed fisting "just out of interest to find out why people would do that", while Jane stated that some of her pornography viewing experiences (including fisting) were due to curiosity:

> "And others were curiosity, or because I didn't know what it means in English! Like fisting, so I went there by purpose just to see what it means…" – *Jane, 25, heterosexual female and frequent consumer of pornography*

In the case of Jane, for whom English is her third language, materials depicting fisting were viewed in the process of seeking a definition for the term. Interestingly, participants did not generally discuss having viewed fisting in the context of heterosexual pornographic content.

4.2.2.4 Urine

Over half of the young people had only seldom viewed pornographic materials depicting urine or urination, with two participants having viewed these materials often or fairly regularly. The young people generally did not purposefully choose to view materials depicting urine and urination, with the exception of Juan who stated "I've purposefully looked for videos […] like, 'Man gets pissed on' or something like that, just having a look at what those are". Both David and Juan discussed urine in tandem with fisting. As discussed above in Section 4.3.2.4, Juan expressed that he had seen urination "purely because I'm trying to get to the bit I'm trying to get to" and David had seen urination as a categories on pornographic websites, which – like in previous discussions pertaining to visible ejaculation in Section 4.2.1.3 – are again categories of content regarded as *necessary evils* by the young people when accessing pornographic materials.

4.2.2.5 Vomit and Faeces: The case of *Two Girls, One Cup* and 'Shock' Videos

Many of the young people had viewed pornographic materials depicting faeces and around a third had viewed materials depicting vomit. The vast majority of these participants had viewed pornographic content depicting vomit and faeces in a viral video entitled *Two Girls, One Cup*, with almost fifty per cent of all participants having viewed this video.[26] *Two Girls, One Cup* is an online video clip featuring two women engaged in defecation, vomiting and sexual activity.

Two Girls, One Cup has gained notoriety both on and off the Internet, and is what is known as a 'viral' video clip wherein the materials is shared rapidly and widely across the Internet, and is therefore encountered by a large number of people. As Jo explained: "I remember it being, with literally everyone, a massive topic of conversation as if it was normal, like 'What do you mean you haven't seen it? Everyone has seen *Two Girls, One Cup*'!". David, Neil and Sarah also stated that they had heard much about the video prior to having viewed it. As Lola observed, the extent of its notoriety can be seen in the vast swathes of "videos on YouTube of the folk who get forced into watching these kind of things, there's lots of reaction videos to *Two Girls, One Cup*". The extent to which this video had gained notoriety was validated by Neil's account of accidentally viewing it, who explained that a celebrity had shared the video on Twitter: "[The Tweet] was something like 'Definitely needed the toilet', something along the lines of that, but I wasn't feeling the best after seeing that".

Two Girls, One Cup falls under the category of Internet 'shock' websites and videos. Attwood (2011: 18) states that these 'shock' videos 'often depict bodily waste such as urine, vomit or faeces; bodily rupture, abnormality or injury'. Other such 'shock' materials encountered by the young people include videos entitled *Meatspin* and *One Guy One Jar*, discussed later in this Section. Like Attwood (*Ibid*), Lola articulated *Two Girls One Cup* as being a 'shock' material:

> It's one of those things that got passed around, they're called 'shock websites' –
> there's loads of them [...] most of the shock websites are pornographic in nature,

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[26] Violet was the only participant who reported having viewed materials depicting defecation outwith *Two Girls, One Cup*. In Violet's case, she accidentally viewed depictions of defecation and faeces while searching for pornography with her boyfriend.

www.manaraa.com

though there's a few which are just violent, really, really gory…" – *Lola, 19, heterosexual female and occasional consumer of pornography*

Sasha also discussed the propensity among peers to shock one another with pornographic materials, which is discussed further in Section 4.2.3.4 with regard to sexual activity involving people and animals. Unlike the other participants who had viewed *Two Girls, One Cup*, Sarah discussed how she purposefully sought out and viewed the videos in her mid-teens due to curiosity:

> "I did watch [*Two Girls, One Cup*] at the time when it became a big thing, but again that wasn't a pleasant experience […] I kept hearing about it, and I kept going 'No, you don't want to watch that, that's going to be awful – you're not even vaguely interested in scat – you're not going to enjoy it, why are you doing this?', and then eventually I was just like 'I want to see what it's actually like', and then I watched it and I was like 'No, I did not want to watch this'…" – *Sarah, 20, 'questioning' female and frequent consumer of pornography*

Besides Sarah, participants generally expressed having viewed the video accidentally, often via peers or peer groups. Tom stated that a peer showed the *Two Girls, One Cup* video to him, explaining that the video was shown to him for the purpose of shocking him, rather than for the purpose of sexual arousal. Tom discussed how he found the video "horrible", "absolutely rough" and "unbelievable", while expressing confusion around whether it was "real or not".

Like Tom, Sasha's exposure to the *Two Girls, One Cup* video was also accidental and was shown to her with the intention to shock. Sasha explained that a peer sent her an Internet link to *Two Girls, One Cup* without informing her what the link contained, and she and a friend viewed the video. Sasha reflected upon her experience of viewing the video, explaining: "I just thought it was vile, and in no way sexually arousing and in no way amusing, and that's the last time I saw it – I never wanted to see it again".

Similarly, Jo experienced having been exposed to *Two Girls, One Cup* and other 'shock' videos by peers and expressed disdain towards what she regards as 'extreme' materials:

"I remember at Uni coming into halls, and living with loads of guys that was just normal to come in – they had been in your room […] and you'd walk in to… I don't know, like *Two Girls, One Cup*, or a woman having sex with a horse, or something disgusting – and that was considered fine and normal for you to come into your bedroom, and for them to be like "ha, ha, ha, ha!", and that was normal – well, I don't think it is normal, I think it's pretty repulsive to be honest […] It is really extreme and I think it's laughed off, like it's so extreme it's funny – well, I don't think there's that much that's funny about watching two girls poo on each other, to be honest! […] and obviously that's not soft porn, to my memory it's two girls being sick all over each other and having sex […] if that's the first porn you've seen, well, good grief!" – *Jo, 23, heterosexual female and occasional consumer of pornography*

For Jo, materials such as *Two Girls, One Cup* are often "laughed off". Neil also experienced having been at a party in his first year of University where a peer played the *Two Girls, One Cup* video. As in the experience of Lola, Jo was shown the materials by peers who wished to derive entertainment from shocking her:

"…it was really annoying […] but not for anyone's sexual gratification – more what I guess they wanted to be my humiliation, but I wasn't really humiliated, I was just like 'This is just pathetic, really' – I guess to some extent at the time you laugh it off, because otherwise how do you react? I think it was one of those things where you get really angry, and what does that solve? Probably nothing…" – *Jo, 23, heterosexual female and occasional consumer of pornography*

In Jo's experience, these 'shock' videos were used in oppressive and invasive ways by her peers, thinly veiled by the pretence of humour. Like Jo, Lola discussed having been shown many of these so-called 'shock videos' by peers, explaining:

"I've got really horrible friends, and as soon as they find one they send it to me […] they do it in a hidden link, so I don't know I'm clicking on it…" – Lola

Lola stated that her peers send her links to 'shock websites' "for a laugh" and "to watch [her] reaction". The accounts of Jo and Lola demonstrate that the entertainment value of such shock videos is not derived from the videos themselves, but instead by the reaction or

perceived reaction those viewing them, which is further corroborated by the aforementioned 'reaction videos' on YouTube.

In addition to *Two Girls, One Cup,* Jo and Lola discussed another shock video called *Meat Spin* to which they had been exposed by peers, as Lola explains:

> "There's a very lovely one that I got hit with a couple of days ago called *Meat Spin*, that's not nice… well, *Meat Spin* is actually the nicest of all shock websites I've seen, it's basically a very, very close-up image of two guys having sex, and you basically see the guy getting penetrated and it's a front-on view, and you see the cock going like that [*gestures in a circular motion*]… then after about fifty times it comes up with a message like 'You are now officially gay'…" – Lola

For Jo, *Meat Spin* was another video that had been put onto her computer by peers in while in University. Meanwhile, Neil discussed viewing a shock video entitled *One Guy, One Jar* via peers, it having been a very disturbing experience for him:

> "I actually felt physically sick after watching it, and it was a man that somehow took an entire jar […] inside himself and then clenched and smashed it, then pulled it out of himself, and it was just… because it looked to me like there was no way that it could be faked, and it just made me feel extremely sick… so yeah, that was the worst thing I've ever seen… and I few of my friends who I've mentioned it to have been like "yeah, I saw it and it was disgusting", and it was the worst thing I've ever seen, ever…" - Neil

Neil's account demonstrates that although many of these shock videos contain sexualised content – in this case, anal penetration – the intention of these videos is not sexual arousal. Likewise, despite the fact that *Two Girls, One Cup* depicts sexual activity (alongside defecation and vomiting, regarded by some as legitimate niche sexual interests), it is not strictly pornographic in its intention if pornography is defined as being is produced solely or principally for the purpose of sexual arousal, as discussed by the young people in Chapter 3.1. Despite this, the research findings suggest that materials are being shared among – and non-consensually viewed by – the young people, including materials (such as in Jo's experience of being exposed to depictions of people and animals) that are criminalised under the *CJIA 2008* and *CJL(S)A 2010* (as discussed further in Section 4.2.3.4 and Chapter 5.1).

4.2.3 Violence-Related Pornographic Content

This Section presents analysis of the range of violence-related pornographic material viewed by the young people. As demonstrated below by Graph 4 and Table 30 below, almost all of the young people had at some point viewed pornographic materials depicting sexual activity involving potentially violent or injury-inducing acts, such as BDSM (Section 4.2.3.1), spanking and slapping (4.2.3.2), choking and strangulation (4.2.3.3) , people and animals (4.2.3.4), and rape and 'rape fantasy' (4.2.3.4).

Graph 4: The Range and Frequency of Violence-Related Pornographic Content Viewed by Young People
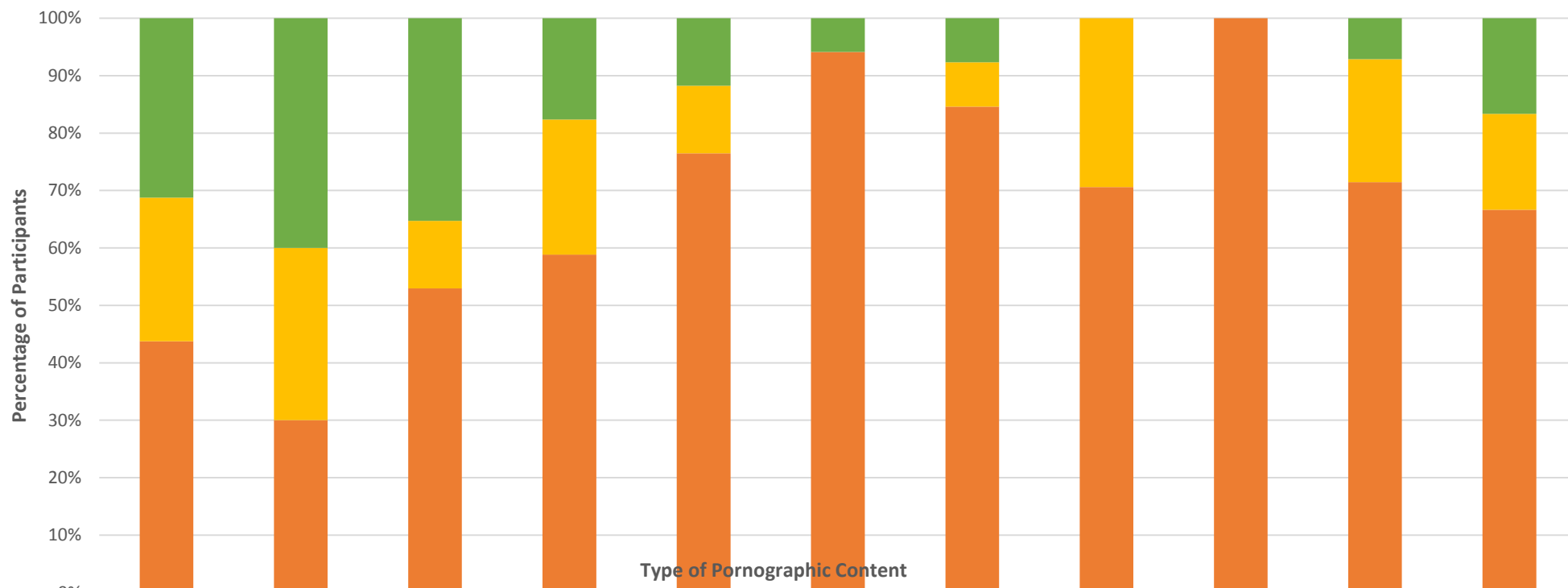
	BDSM	Spanking*	Slapping	Choking	Strangulation	People and Animals	Violent / Can cause injury*	Rape	Necrophilia	Drunken / 'Taken advantage of'*	Rape Fantasy*
Fairly Regularly or Often	5	4	6	3	2	1	1	0	0	1	1
Occasionally	4	3	2	4	2	0	1	5	0	3	1
Seldom or Never	7	3	9	10	13	16	11	12	17	10	4

Table 30: Range of Violence-Related Pornographic Content Viewed by Participants					
Type of Pornography	Never	Seldom	Occasionally	Fairly Regularly	Often
BDSM	0	7	4	1	4
Spanking*	1	2	3	1	3
Slapping	1	8	2	4	2
Choking	4	6	4	2	1
Strangulation	4	9	2	1	1
People and Animals	6	10	0	0	1
Violent / Can cause injury*	3	8	1	0	1
Rape	8	4	5	0	0
Necrophilia	16	1	0	0	0
Drunken / 'Taken advantage of'*	3	7	3	1	0
Rape Fantasy*	0	4	1	1	0

What emerged in the data was that there were generally three routes through which young people had accessed violence-related pornographic materials: firstly, materials depicting sexual activity in a BDSM context or materials depicting apparently consensual scripted violence purposefully sought out by the young people; secondly, mainstream pornographic materials containing potentially violent acts (such as slapping, strangulation and choking); and thirdly, violence-related materials accessed accidentally through mainstream pornography websites. These routes were not mutually exclusive, however a clear demarcation was evident between participants who purposefully sought out violence-related materials and those who did not. Holding that in consideration, it must be noted that violence-related acts and content – such as choking – can be seen throughout mainstream pornographic depictions, which was discussed previously in the context of oral sex performed on men in Section 4.2.1.3.

4.2.3.1 BDSM: Consent and Scripted Violence

Of the violence-related pornographic materials, almost a third of the young people viewed materials depicting BDSM activity often or fairly regularly. BDSM is a combined acronym for a group of behaviours revolving around notions of power play usually in a sexual or sexualised context, including: bondage and discipline; dominance and submission; and sadism and masochism. There was a clear demarcation between participants who actively sought out these materials and those who did not, although almost all of the young people had at some

point viewed materials depicting BDSM activities and/or scripted violence[27]. There was certainly a gender-based difference among the participants accessing BDSM materials, with more self-defined women purposefully accessing these materials than the male participants.

The mainstay of the young people's discussions of viewing depictions of BDSM within pornographic content centred on consent, with Jo – among many of the young people – characterising BDSM activity as "consensual violence". For those participants who purposefully sought out depictions of BDSM activity, the ability to determine whether the material depicted consensual acts was a central mediating factor for deciding whether to view the material. One instance of this within participant accounts was the presence of consent-affirming disclaimers within BDSM videos; indeed, both Sasha and Seph discussed how some BDSM materials produced in North America contain video excerpts of the performers discussing the 'scene' (a term for a time-period of BDSM activity) they had participated in. Sasha explained that although she has purposefully viewed BDSM activity, she believed there to be "a very fine line" between depictions that are scripted and those that are not, explaining:

> "There are certain websites that I've watched before – there's a lot of BDSM stuff on a website called 'Kink.com' – and there are choking and strangulation on there – but it's all consensual, and the people will talk about why they choose to do that, so in that context I can watch it and I feel okay watching that…
>
> INT: Is that conversation part of the video?
>
> Yeah, it's part of the video, at the end and sometimes at the beginning, the people taking part in it talk about why they wanted to do that and how they felt the experience was, and they're smiling and laughing and chatting to each other and to the people that are filming it, so I think that's absolutely fine and that is in my interest, and BDSM is up there in "Often viewed", but I'm not really into videos where you don't

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[27] The term 'scripted violence' was contributed to the Spectrum materials by Charlie and, during data analysis, it emerged that this was a type of content discussed by many of the young people. The young people's discussions around scripted violence generally intersected with discussions of BDSM content and (in the view of the young people) denoted violent content that was pre-scripted, agreed upon and consented to by those depicted in the materials.

really know if it's scripted or if someone's being genuinely hurt…" – *Sasha, 23, pansexual female and frequent consumer of pornography*

For Sasha, like the other young people who actively accessed BDSM content, the major deciding factors of whether she chooses to view pornographic content depicting BDSM are whether the consent of those involved has been given and whether the acts or scenario was pre-scripted and pre-agreed upon. Sasha expressed that the presence of these contextualising disclaimers within BDSM depictions was positive and necessary to ensure the consent of the parties involved in the materials. Moreover, Sasha stated that although she did not enjoy viewing non-consensual violence, she believed there to be many people who specifically sought out these materials:

> "I think there are a lot of people that enjoy that porn precisely because it is near rape porn, and it's the idea that the person is completely without control to the point where they haven't even consented to that – I think that's where people's interest is. Whereas, with me, I very much like the idea of complete submission, but consensual. I just don't condone violence, full stop, so I don't like seeing it in pornography." – *Sasha, 23, pansexual female and frequent consumer of pornography*

Sasha's views suggest a difference between seeking out BDSM or violence-related materials *for* the violent depictions and seeking out these materials for the specificities of BDSM activities, indicating that viewer intent and interpretation of materials are as pivotal as the activities depicted in the pornography materials themselves. Seph echoed Sasha's approach to which materials she chose to view, explaining:

> "Yeah, it's mostly consensual… I mean, there's quite a lot of BDSM porn that is implied non-consensual – although, because of a weird American thing, where they have to do a little bit at the end where they say "It's fine, I loved it really!" […] It's a legal requirement…. it's usually in the last thirty seconds at the end, where she's clothed and everything, and is like "It's fine! I'm not gonna run away crying or sue anyone"…
>
> > INT: […] And would that be a factor in what made you choose a specific sort of porn, as in whether it was shown to be consensual?

Yeah, because things that are very much borderline with consent is just like *nyeh* [*indicates dislike*], I feel wrong about watching it…" – *Seph, 22, heterosexual female and frequent consumer of pornography*

It is evident from Sasha and Seph's accounts that the use of these contextualising disclaimers to prove consent in some BDSM depictions were an instrumental factor in whether these participants chose whether to view a particular pornographic material. However, much of the material depicting BDSM activity and/or scripted violence lacks such disclaimers and so the onus is on the viewer to ascertain whether the material is consensual. Indeed, as these particular participants would not purposefully view depictions that appeared non-consensual and/or non-scripted, a subjective judgement call is made by the viewer as to whether a particular material fits within their personal, sexual and socio-cultural framework of acceptability. This negotiation process was echoed throughout the young people's accounts, wherein most participants reported viewing "light" BDSM and/or scripted violence, framing these materials as being in opposition to 'harder' depictions such as suspension, blood-letting, and serious physical injury.

Access was a major factor within what particular depictions of BDSM and scripted violence the participants chose to view, specifically that the young people predominantly accessed these materials through mainstream pornography websites as opposed to BDSM or kink-orientated spaces. These participants expressed that much of the BDSM materials of mainstream pornography websites was 'lighter' and less violent than that which can be found on BDSM or kink-oriented websites. For Seph, she described the BDSM material she viewed as "quite light BDSM" accessed through mainstream pornography websites, explaining:

"It's usually on the main kind of sites, but that's probably quite light BDSM – I'd probably define it as – rather than hardcore BDSM, where you'd have to go on specific sites […] – I'd say light bondage, rather than stuff like suspension and stuff, which is quite hardcore – and also very difficult – so, yeah […] Light bondage like punishment spanking and that kind of thing, rather than [activities that] essentially require more equipment…" – *Seph, 22, heterosexual female and frequent consumer of pornography*

Seph explained that she mainly views these "light bondage" materials because they are accessible through mainstream pornography websites. Like Seph, Sarah discussed her modes of access to BSDM materials, explaining:

> "INT: Okay – and with the BDSM stuff, would you go to a specific place on the internet to find that, or would it be on mainstream pornography sites?
>
> Probably a variation – it kind of depends on how lazy I'm feeling, as to whether I can actually be bothered to go out and search for something, that is. Sometimes you go out and you're looking for something that is really catered to your interests, if you really want a quality piece of porn, but other times you're like 'I just want to masturbate and be done', then you'd make less effort. But yeah, most of it is nothing too extreme – I don't know, it's hard to classify – it's not like you talk about it, so I'm not quite sure as to what would be viewed as 'too extreme', but I wouldn't view it as being particularly terrible…
>
> INT: And what would you think would be terrible?
>
> Probably semi-permanent damage to the person – I don't have any problem with spanking, but whipping when there's blood is veering into the area where I'm less comfortable – piercing the skin and things like that I'm not massively comfortable with, so that's the line that I'd draw…" – *Sarah, 20, 'questioning' female and frequent consumer of pornography*

Like Sasha, who discussed accessing materials through 'Kink.com', Sarah described her modes of access to BDSM materials as being sometimes through mainstream websites and sometimes through BDSM-oriented websites depending on "how lazy [she] is feeling". Here, Sarah differentiates between instances when she is seeking immediate sexual gratification and when she specifically searches for a "quality piece of porn" that is catered to her specific sexual interests.

While both Sarah and Seph discuss viewing "light" or "nothing too extreme" types of BDSM content, Juan discussed purposefully seeking out BDSM materials specifically for the violence-related content and "rough" sex:

"Yeah, like I saw quite a bit of BDSM stuff, because I like sex to be rough and hard and that's a turn on for me, so I will sometimes watch BDSM stuff that involves chains and whipping someone and fucking dungeons, and I'd skip that part to get to the sex, which is something I'd do in a normal porn video, because it's rough, I like it…" – *Juan, 21, gay male and frequent consumer of pornography*

For Juan, like his previous discussion of viewing fisting and urination, he chooses to view BDSM materials not for the BDSM elements of the depictions but for the rougher sexual activity often present in these materials.

Outwith materials marketed as being BDSM-related are materials depicting "scripted violence", explained Charlie, which is evident in a popular pornographic website called *Brazzers*:

"But this *Brazzers* thing is pretty popular at the moment, and my impression is that it's basically big muscly guys having pretty full-on violent sex with women who strike me as being quite sturdy themselves and quite well-built, and it's just basically Hollywood sex which – I don't know if 'violent' is the right word – but some of it definitely has violent connotations." – *Charlie, 25, heterosexual male and frequent consumer of pornography*

Charlie described the material on *Brazzers* as being "scripted consensual violence", often depicting rough or violent sexual activity. Charlie then explained he viewed this material accidentally through an advertisement on a mainstream pornography website:

"Like, there was an advert the other week on the sidebar – as soon you go onto YouPorn there's adverts on the right-hand side, which you probably don't want to look at, but it gives you an indication of what the market is for those websites – and it was just like this skinhead guy oiled up and this girl oiled up as well, and she was wearing some sort of thin Lycra – and you get a 3 or 4 second clip that just plays automatically, so you don't have any control over what you're clicking on to begin with – and he just rips her tights off her and he's straight in there, and there's no – if you were looking at that from the perspective of someone that's fairly sexually immature and you think that that's how you treat girls, then god knows what the world is coming to – that is a

very popularised pornographic website, and they should probably have a little bit more accountability and responsibility […] fair enough they have a proof-of-age policy, but there's no proof, you just need to tick a box that says you're 18 or over – but I think they also have some kind of degree of responsibility to allow users who might be new to porn and might be underage – probably are underage – to at least find for themselves and understand for themselves the porn that they're looking for, so images aren't just flashed up in front of them that could completely change their perception of how sex is carried out…" – *Charlie, 25, heterosexual male and frequent consumer of pornography*

For Charlie, despite the premise of the violence-related acts depicted being scripted and/or consensual, he was concerned about how these materials may be interpreted by younger or less experienced people.

Generally, the young people who did not purposefully seek out and view BDSM materials stated the reasoning that these activities simply did not sexually interest them. David stated that he had seen "extreme" and "horrible" masochistic sexual activity on a thumbnail advertisement on a pornographic website depicting a woman being penetrated with a broom-handle, and explained that he chose not to view such materials as he "[doesn't] see the pleasure in it" and "it looks really sore". David remarked upon the "different levels of extreme" within BDSM activity depicted in pornography, stating that "it can be from whipping to brutal… where they lick toilet seats, like really extreme stuff". Tom meanwhile stated that although he had seen BDSM materials he explained he did not "get what attraction that has for people, being tied up… and the whips". Similarly to Tom and David, Andrew discussed how despite the fact that he is "not interested" in viewing BDSM materials, he finds these materials to be "unavoidable", explaining:

"…it crops up – even in a real sex video, again it crops up and sometimes you don't know until you actually start watching a video that that's what's going to happen in it, and so you might turn it off after and think "That's not what I'm interested in". […] I mean, are that many people into BDSM-type stuff? Or is just that that sort of thing crops up a lot and it isn't enough to make people turn the video off? It's the same with spanking and slapping, it tends to crop up whether you want it to or not.

Personally, from my perspective, the thing I'm going to be most interested in is what looks like just a normal couple having sex, and a normal couple having sex – for the majority of people – are not going to be involved in BDSM or anything particularly abnormal beyond the usual sex." – *Andrew, 23, bisexual male and frequent consumer of 'real sex' videos*

For Andrew, his interests lie in viewing "a normal couple having sex" and he regards BDSM activity as outwith this dynamic. Like Andrew, Jo also doubted whether the prevalence of BDSM activity in mainstream pornography was representative of the majority of people's sexual realities. However, recently emerging elements of popular culture – such as the vast popularity of E. L. James' novel *Fifty Shades of Grey* and popstar Rihanna's music video for *S&M* – demonstrate the increasing prevalence of BDSM-related iconography, which may demonstrate shifting attitudes towards BDSM sexual practices.

What is clear in the findings pertaining to BDSM content and materials depicting 'scripted violence' was that young people did not intentionally view materials they believed to be non-consensual, and these young people employed tactics to ascertain the consent status of those depicted in the materials. This finding became even more apparent in young people's discussions of materials depicting rape and 'rape fantasy', which is discussed further in Section 4.2.3.5.

4.2.3.2 Spanking and Slapping

Almost all of the young people had viewed pornographic materials depicting spanking or slapping at some time, with a third of participants viewing slapping regularly or fairly often.[28] Of the young people who had viewed this content in pornography, this was either through purposeful access to BDSM materials and materials depicting 'scripted violence' or through mainstream pornographic depictions featuring these acts. For those young people who did not actively seek out materials depicting these activities, spanking and slapping were another

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[28] The data also indicates that around a quarter of participants viewed spanking regularly or fairly often, however as the 'spanking' Text Card was contributed by a participant (Lola) during the course of the empirical research the overall number of participants viewing materials depicting this activity at these frequencies may in fact be higher and so the data is to be approached with this in consideration.

act ubiquitous in mainstream pornographic content, thus constituting another *necessary evil* of accessing pornographic materials (as discussed in Section 4.2.3.1).

In terms of defining these activities, it was generally agreed by participants during the empirical research that spanking refers to slapping with a hand or object on a person's buttocks, which resonates with the Oxford Dictionary definition of to "slap with one's open hand or a flat object, especially on the buttocks as a punishment" (ODE 2006). This particular definition cites the use of spanking of "punishment" of disobedient children, however in a sexual context spanking often occurs in BDSM and kink-oriented behaviours. Sam in particular echoed this definition, characterising spanking as being "100% on the bottom, like 'You've been very naughty'". Slapping, meanwhile, was regarded by participants as being enacted on any part of the body and as having the intent of being more physically violent, aggressive and non-consensually injury-inducing than spanking. The Oxford Dictionary's definition again reflects this differentiation, defining slapping as to "hit or strike with the palm of the hand or a flat object", "a blow" and "to reprimand someone forcefully" (ODE 2006), which indicates a higher degree of physical violence and aggression than with spanking.

The young people also discussed the differentiation between the two acts in the context of which body parts were being struck; while spanking refers predominantly to striking the buttocks, slapping can refer to striking any part of the body including the face. Charlie explained that although both spanking and slapping "gesture towards this idea of aggression and violence", they "don't necessary involve pain or unpleasantaries […] like spanking your partner isn't necessarily a violent activity – it's just sort of expression – whereas slapping on the other hand I would guess is slapping someone round the face". Like Charlie, a handful of participants characterised slapping as a strike to the face. Charlie gave an unusual example of materials depicting slapping, describing a video he had seen:

> "I have seen something quite recently, it was on YouPorn and it was a video from a website called *Rough Handjobs* and basically it's where a woman dominates a man – a particular man who plays this pathetic bloke who has somehow done something wrong – and he gets a handjob but at the same time get his cock slapped, so there's slapping people's faces and there's slapping people's arses, and then in this case, cocks…" – *Charlie, 25, heterosexual male and frequent consumer of pornography*

In this instance, slapping was used a means to denote a woman exerting power over a man – a dynamic more often featured within a BDSM paradigm than in mainstream pornographic depictions. Indeed, the young people who purposefully viewed BDSM materials also viewed spanking and slapping. David's account of viewing slapping, however, was outwith a BDSM context and involved a gender-based power dynamic which differed from Charlie's account, explaining:

> "I guess it's a little bit like choking – I don't think there's any porn like 'slapping porn', but every now and then you'll see that in porn, in the videos, where people will just kind of get away with it, and it's usually the girls that get slapped, and it just happens every so often during the videos and that…" – *David, 18, gay male and frequent consumer of pornography*

David's comments, like the accounts of many of the young people, suggest a more ubiquitous presence of slapping within mainstream pornographic materials, as opposed to being a distinct category or niche interest within the pornographic canon. Indeed, a number of the young people expressed that materials depicting slapping and spanking were easily accessible, with Andrew explaining that "it tends to crop up whether you want it to or not". Lola, meanwhile, stated that although she had seen many depictions of spanking she had not seen "a lot of actual full-on slapping", explaining that she tended to avoid these materials where possible as she had "been exposed to too much already – I'm trying to save what little of my innocence I've got".

With this in mind, slapping as a behaviour has the potential to be normalised within the context of mainstream pornographic depictions (outside of BDSM depictions) and therefore less distinct or noticeable. David's account also highlights that much of the violence-related activities within mainstream pornography are enacted by men upon women. While the BDSM-oriented 'cock-slapping' discussed by Charlie was drawn from a niche pornographic website fetishising women dominating men, David's account of slapping appeals to the overriding content of mainstream pornography – that of men dominating women.

4.2.3.3 Choking and Strangulation

Over two-thirds of the young people had viewed materials depicting choking and strangulation, with depictions of choking being viewed more regularly than depictions of strangulation. While several participants viewed these materials fairly regularly or often, the majority of participants viewed these materials occasionally, seldom or never. Participants generally discussed choking and strangulation as negative or problematic acts and depictions viewed – often accidentally – in a mainstream pornographic context. Those participants who did view these acts with seemingly purposeful regularity, with the exception of Sasha, generally did not discuss their choices to and experiences of viewing depictions of these acts.

As with participant discussion of slapping and spanking outlined previously, the young people's accounts suggested a gendered dynamic within depictions of choking and strangulation with an emphasis on men performing these acts upon women within pornography. Willow expressed dismay with the gendered power dynamics inherent in depictions of choking and strangulation, explaining:

> "I know some people enjoy strangulation and choking, and they could be consensually used in BDSM or whatever, but it's just all about the power dynamic – like, who would be doing the strangling and who would it be done to? Would it be a man strangling a woman?   Probably it would be, in the contemporary normalised pornographic situation that we often see. I just think that it's adding to a culture of violence against women, because it shapes how people think about their sexual interactions..." –
> *Willow, 25, queer female and occasional consumer of pornography*

Like Willow, David also expressed concern towards depictions of choking and strangulation in mainstream pornography. For David, he was concerned that young people would view these depictions and assume that these acts were normative expressions of sexuality. David explained that within mainstream pornography, depictions of choking were not in his opinion necessarily overtly and extremely violent, but instead portrayed more subtle markers of dominance:

> "...if you think about choking porn – I don't know, I've never actually seen it where they're having sex and she's getting brutally choked, maybe it's kind of subtle choking,

it's not totally violent – at least I don't see it like that – but it's usually the woman that it's happening to if it is… I've seen it where she'll get her neck held up like that [*David raises his head upwards and backwards, with his hand to his throat*] while they're having sex, but it's not like he's trying to kill her or anything, but I think he's still kind of choking [her]…" – *David, 18, gay male and frequent consumer of pornography*

David's account demonstrates a demarcation in his perception of what is "totally violent" and thus unacceptable, and what is acceptable – namely an act where the man depicted within pornography is apparently not intending serious harm but instead to dominate the woman during sexual activity.

A number of the young people discussed choking in the content of oral sex performed on men, as outlined in Section 4.2.1.3. Building upon this, Charlie discussed the use of choking within heterosexual pornography wherein women choke during rough or forceful fellatio:

"As for choking, I think that's quite an interesting one, because the idea of choking is that – to define what choking is, it's where someone can't breathe, which is quite a scary thought – however if someone is performing oral sex on a male, then you are putting a penis in your mouth, and I think there's always a chance that if you're performing a blowjob that it's going to result in that person being choked temporarily, whether that's by accident or on purpose, which is an issue, and also whether that partner performing the sexual act is in control of what they're doing, so if it's deep-throat for example then I think they should be in control of that, whether that's happening or not, but I think sometimes in porn girls will be a position where a blowjob is expected and a blowjob is a part of male-female porn, and sometimes I suspect in the industry there is maybe momentum towards – if a girl doesn't choke at any stage while she's giving a guy a blowjob, then she's not trying or something, or it's not a popular blowjob or something like that…" – *Charlie, 25, heterosexual male and frequent consumer of pornography*

Charlie's account suggests an expectation within mainstream pornography for women to choke while performing fellatio, with Charlie stating that the popularity of a pornographic video rests on whether the woman is choking at any stage during the act. Charlie discussed a

separation between fellatio in lived experiences of sexual activity and depictions of mainstream pornography, explaining that pornographic depictions are "more remote" thus encouraging the normalisation of choking:

> "I don't think that's necessarily the reason why it turns guys on […] at least from my perspective, I don't like it when girls choke, it puts me off, because it shows that they are in discomfort and I personally know what it feels like to choke on anything – it's horrible – so for that to happen to a sexual partner of yours, then I would feel very uncomfortable about that. In porn you're more remote from it, so things become normalised on these porn website communities, so I think you are quite distanced from the actor/actress. I actually think what choking means to most guys is that the girl is taking the guy's cock further down, it's a deeper blowjob so it equals more pleasure for the guy, not more discomfort for the girl, so the fact that the girl is in discomfort is almost beside the point to most guys, it's just something the girl kind of puts up with along with performing the sexual act." – *Charlie, 25, heterosexual male and frequent consumer of pornography*

Charlie states above that women choking is "almost beside the point to most guys" and "just something the girl kind of puts up with", explaining that it is not the act of choking someone that is sexually arousing to men but the depth and intensity of the fellatio – and women choking is an audio-visual marker of male sexual pleasure within pornographic depictions, just as visible male ejaculation often functions as such a visual marker or cue, discussed by a number of the young people in Section 4.2.1.3. The young people's accounts point towards a momentum for pornographic depictions to become more extreme as pornography lacks the element of direct lived sexual pleasure for the viewer, and so the audio-visual markers and cues must compensate for the lack of this, which in this context is the sound and appearance of women choking during fellatio.

Despite Charlie's analysis of the reasoning for depictions of choking during fellatio, he stated that he has "the impression that some girls like choking" likening this to people performing auto-asphyxiation during masturbation, an act also described by Lola. Charlie also described women choking during fellatio as abuse, before changing his account to "not abused, but going along with something that is causing discomfort because that's normalised in the

industry", which points to Charlie possibly holding views shaped by pornography as to what acts do and do not constitute violence or abuse, alongside a gendered expectation that women are to "go along" within uncomfortable or traumatic acts for the purpose of employment and male-oriented sexualised entertainment.

The young people's accounts suggested that depictions of choking and strangulation within mainstream pornography were numerous and often occurred without forewarning. Tom stated that depictions of strangulation within mainstream pornography are "more common than you'd have thought actually", explaining: "[Quite] often in any bog-standard scene, the woman ends up getting choked a bit, which is pretty odd". Like Tom, Charlie stated that:

> "[Choking] is something that pops up in a lot of pornographic content – you don't know when it's going to happen either, it's not something you can necessarily screen – maybe if there was more accurate labelling of porn that you were about to see, then I suspect less people would engage in it…" – *Charlie, 25, heterosexual male and frequent consumer of pornography*

Charlie's account suggests a lack of accurate labelling of pornographic videos, thus limiting the viewer's ability to screen out certain activities or dynamics prior to watching the video. David experienced accidentally viewing depictions of strangulation by viewing materials through an external link to a pornographic website he was browsing, wherein he found himself on a site called *Brutal Porn* containing depictions of strangulation, "girls tied up" and "brutal" sexual activity. David's experience demonstrates how the lack of adequate labelling of pornographic content, alongside links from mainstream (often free to view) pornographic websites onto other websites, can lead to accidental exposure to pornographic depictions – in this context, depictions of sexualised violence towards women.

4.2.3.4 People and Animals

Over half of the young people had viewed materials depicting sexual activity between people and animals at some point.[29] The young people's accounts suggest that exposure to depictions of sexual activity between people and animals was generally both accidental and an isolated incident, with none of the young people regularly accessing these materials[30] and few young people purposefully seeking out depictions of people and animals.

Few young people had actively sought out materials depicting sexual activity between people and animals, with only a handful of participants discussing having done so – often citing curiosity. Sasha purposefully sought out the 1970's film *Animal Farm* with a group of friends after having seen a documentary about it, and described it as depicting "a woman […] who has sex with various different animals, including a dog, […] a chicken […] and a horse – just lots of different animals – I think there was a pig in there as well". Sasha cited "morbid" curiosity as her main motivating factor for viewing this material:

> "You couldn't just go out and type it into Google, but I remember it circulating because my group of friends had been speaking about it, and I'm morbidly curious and so wanted to know what it was all about, so I watched that with a group of friends – I had to download it from a very strange and random website – and again that's obviously taking things to another level from *Two Girls, One Cup* I think. Most of the pornography I have watched with a group of friends has been […] it's just that sense of shock, and when people are curious about something it feels like it's okay to watch it if you're watching it in a group, but if you were to watch it on your own there'd be something in your mind that doesn't necessarily want to do that, because you'd feel like you're doing something very wrong and very weird… so I watched that in a group of friends…" – *Sasha, 23, pansexual female and frequent consumer of pornography*

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[29] It was unclear *when* the young people had accessed these depictions and therefore it is not possible to ascertain whether these materials were accessed prior to or following the introduction of the *CJIA 2008* and the *CJL(S)A 2010*.

[30] Although this data indicates that one participant (Jane) viewed these materials often, she did not explicitly discuss this during the interviews and also as English was her third language this element of the data is to be treated with caution.

For Sasha, viewing these materials in a group context allowed her to satiate her curiosity while alleviating concern that she may be doing something "very wrong and very weird". For Sasha, her experience of viewing depictions of sexual activity between people and animals was forged by curiosity, instigated by a documentary about the film she eventually viewed. This sense of curiosity was echoed by Juan, who stated that although he "would never view [people and animals] sexually, I would probably view it out of curiosity, just like 'What the fuck?!'", while Jane also reasoned that people predominantly access these materials due to curiosity.

The research found that young people were predominantly exposed to depictions of people and animals accidentally. Jane and Juan were shown depictions of people and animals by peers, with Jane being told to "look at this" by a peer which she found "quite disgusting". Juan, meanwhile, was shown a video on a mobile phone by peers while in school depicting a woman engaged in sexual activity with a horse:

> "I've seen people and animals – I don't know if when you were in school you got sent the video on your phone of the woman having sex with a horse? […] It's a woman being rammed by the horse, effectively – and apparently she died – and I don't know whether that's a myth, but I think you probably would die, like, I saw it go in… so, I think you would die – I remember sitting there like 'Oh my god' […] I was in school in my uniform and someone showed me it, because loads of people had it on their phones, so I must have been about 15 [years old]…" – *Juan, 21, gay male and frequent consumer of pornography*

For Juan, his exposure to materials depicting people and animals occurred accidentally as a teenager, an event he was seemingly disturbed by. Willow, like Juan, was also accidentally exposed to a depiction of people and animals, through an online chatroom as a teenager. Unlike Juan, however, Willow had a pre-existing interest in viewing these materials, explaining:

> "…like, accidentally viewed and I was like 'Oh! What the hell's going on?', but also interesting things where it's women playing with their dogs […] so I was very fascinated by that when I was a teenager… I was like 'That's weird' and it was kind of

like almost self-made porn, like on webcams and stuff… so you'd be on like a Yahoo chat forum or whatever and someone would like say 'Hey, d'ya wanna be my friend?' and I was like fourteen and y'know you don't really know, I think the Internet was also quite new almost, and so suddenly they start streaming something to you and you're like 'Woah, what's that?' and it's like a woman getting off with her dog […] I was like 'Shit! My parents are home, I'd better get out of this chat forum!' […] She seemed to be enjoying it but… I think the dog was just licking her cunt…" – *Willow, 25, queer female and occasional consumer of pornography*

Despite Willow's pre-existing interest in viewing depictions of people and animals as a teenager, her exposure to these materials via an online chatroom was accidental and seemingly uninvited. David also viewed similar materials to Willow in a magazine: "I think it was in a magazine, a woman and a dog, I'd never go back to that – so yeah, only one time". Lola, however, was exposed to depictions of people and animals through a Trojan virus that infected her computer, which flashed images of bestiality, necrophilia and sexual violence onto her computer screen. Charlie too had viewed depictions sexual activity between people and animals, yet stated "it's not something I'd search out for" thus indicating accidental exposure.

4.2.3.5 Rape, 'Rape Fantasy' and Negotiating Consent

The research found that over fifty per cent of participants had viewed materials depicting rape, with over a quarter of participants viewing these materials occasionally.[31] Much of the discussion of depictions of rape and/or 'rape fantasy' involved differentiating between 'real' rape and 'pretend' or 'fantasy' rape. Indeed, when presented with the Text Cards when constructing Spectrum II in the interview context, many of the young people asked the researcher whether the 'Rape' Text Card referred to "actual rape or play rape" (Tom) and "rape porn or pretend rape porn" (Seph).

The young people's accounts indicated that an array of materials are available depicting rape and sexualised violence, presented in a non-consensual context. Jo stated that "you can find

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[31] As a category, 'rape fantasy' was contributed to Spectrum II by Violet over halfway through the empirical research process and so the figures pertaining to 'rape fantasy' are most likely under-representative of young people's access to these materials.

rape in porn with disturbing regularity" and "to some extent there's always that 'She loves it really!'" message within pornographic depictions, regardless of the levels of violence and aggression enacted upon those depicted in the materials. Some participants were adamant that the materials they had viewed depicted 'staged' or 'fantasy' rape, while others were unclear as to the consent-status between those portrayed within materials they had viewed. Charlie, for example, stated that he had "videos where someone's basically pretending to be taken advantage of", demonstrating a strong conviction towards these acts being "pretend". David, however, expressed uncertainty:

> "I don't think I've ever seen anything called 'rape porn', but in some videos it does look like that's what's happening, and it's that sort of set up I suppose – I don't actually know if that's rape or if it's just set up to look like rape, or what, but it's that sort of idea, but it's not like someone's got a camera and raped someone and videoed it, there is like cameras and studios there." – *David, 18, gay male and frequent consumer of pornography*

For David, like some other participants, he had difficulty distinguishing whether the materials he had viewed depicted non-consensual sexual violence, a difficulty also experienced by Tom. Moreover, the David's account suggests that the sexual activity depicted is unlikely to be rape if filmed professionally – indicating a level of adherence to rape myths. Meanwhile, Tom characterised these types of materials as being "rapey" – meaning 'rape-like' – wherein it is unclear whether informed consent has been given by those depicted, stating:

> "Yeah, I saw this one that was sort of rapey, where they drugged a girl and stuck her in the back of a truck or something awful – that could cause injury and is violent alright […] Well, I've seen pretty messed-up scenes of people pretending – I hope, at least, pretending – to be raping someone, against their will, which is pretty messed-up... but I think they're just actresses pretending to be... so I don't know..." – *Tom, 20, heterosexual male and frequent consumer of pornography*

For Tom, he expressed a lack of clarity as to whether those depicted in the materials he had viewed had given their informed consent to the activities they were engaged in, especially

compounded by the violence-related context wherein a woman was reportedly drugged and abducted.

Within those young people who purposefully accessed violence-related content, a number of the young people discussed employing methods to distinguish whether a material depicted rape or 'staged' sexual violence, much like the methods employed by young people in the context of BDSM and 'scripted-violence' discussed in Section 4.2.3.1. As Juan explains:

"I've never viewed any porn to do with real rape – I have viewed porn that's to do with rape fantasy, it's quite clear that it's rape fantasy…

INT: What do you think makes something clear that it's a rape fantasy?

The fact that it's a porn company who I've seen loads of porn from, and it's a porn actor I've seen in other porn… and some of it's very poorly done, it's very much 'No, no… okay' – it's just very poorly done […] Hard porn is something that – as opposed to softer porn – and I have watched rape fantasy purely because I like the aggression I like to see between two consenting aggressive adults when they have sex, so I think that's what has appealed to me if I have ever watched rape fantasy, because I like the aggressive sex, but I like that just as much when it's not done in a rape fantasy style…" – *Juan, 21, gay male and frequent consumer of pornography*

As Juan's sexual interests revolve around aggression, he employs the method of only viewing materials from certain companies depicting certain actors in order to feel sure the material he is viewing involves informed consent of those depicted. Sarah meanwhile uses a different approach in order to navigate informed consent within sexually violent materials, which involves viewing 'staged' rape in a BDSM context and only viewing materials that seem unrealistic:

"…if it looks like it could be someone genuinely being raped, I wouldn't want to watch it, so it has to be clear that there is consent given, or it has to be – this sounds really bad, but – a situation that wouldn't be rape in real life, so someone saying 'no' and then slowly saying 'yes', I would probably watch, but I wouldn't want to watch a video

where a girl was crying and saying 'no' repeatedly, that would make me feel really uncomfortable…

INT: So it has to be almost unrealistic in its depiction?

Yeah, I have to believe the people having sex actually want to have sex…." – *Sarah, 20, 'questioning' female and frequent consumer of pornography*

For Sarah, it was pivotal that she was sure those depicted in the materials had given their informed consent to the activities taking place, stating that "[it would have to be] a situation that wouldn't be rape in real life". Like David's above comments on the context of professionally-produced pornography negating the capacity for rape to occur, Sarah's reflections indicate the utilisation of pre-established notions of what constitutes rape in order to ascertain the consent status of those depicted in the materials viewed. Moreover, Sarah discussed at length being part of an online community on Tumblr for feminists who have and engage in rape fantasies. It became apparent that this community lent legitimacy to her sexual interests, which in turn made her more aware of sourcing consensual materials, explaining: "There's things I've watched in the past that I now wouldn't voluntarily watch – things like rape, where it's actually portrayed as a realistic rape situation".

Many young people also discussed the presence of rape in animated pornography (such as Hentai), wherein they stated that depictions of rape are often found within these genres, as Lola explains:

"I'm not exactly a connoisseur of Hentai or anything… but from what I've seen pretty much all Hentai is extreme, I don't think you can get it where it's a romantic thing, it's either incest, rape, or crazy furry sort of stuff… there's a lot of incest-y things going on, like 'you're my step-brother!' or 'you're my mum – we can't tell dad!'…" – *Lola, 19, heterosexual female and occasional consumer of pornography*

Lola stated that depictions of incest and rape feature in Hentai "all the time", while Seph stated that the majority of Hentai she has accessed has been "mainly weird, kind of rapey Hentai". Findings pertaining to sexual violence in animated pornography (including Hentai) are discussed further in Chapter 5.4.

Depictions of rape were also discussed by the young people as appearing in 'real life' or amateur pornographic materials. David contributed the 'Drunken / Taken advantage of' Text Card to the research, reasoning that depictions of rape within pornography often fall within this format of more 'real life' or amateur videos depicting what appears to be rape or sexual assault, sometimes while one or more of the participants are intoxicated. Despite the appearances and specific marketing of these materials, as Francis observed, "I think a lot of the actors are heavy drug-abusers, so you never know… I think [the card] is a more explicit and very honest definition, in a way, of what can be going on".

For David, he had accidentally viewed a 'real' video on the Internet which appeared to depict the rape or sexual assault of an intoxicated woman:

> "…the one with the guys who got the woman drunk, and she was being sick and when she stopped they'd be shoving their dicks down her throat and raping her, and she couldn't even sit up… so if you can imagine how horrible it feels to be drunk, and to not know where you're going and being sick every two minutes, and then sex on top of it, and not to mention the camera as well…" – David

Unlike David, Andrew purposefully viewed 'real' sex videos depicting intoxicated people engaged in sexual activity. Andrew described all of the pornographic materials he accessed, including those potentially depicting violence, as 'real sex videos'. As Atwood (2011: 17) observes, with 'media and communication technologies [becoming] integrated into everyday life' this has '[made] possible home-made sex media and new types of sexual encounter in virtual environments', evident in Andrew's predilection for 'real sex' materials or 'amateur porn' and in Sasha's purchase of interactive online 'chats' with people engaged in sexual activity (discussed in Chapter 3.2).

Andrew discussed how his predisposition towards viewing 'real' sex videos led him to view intoxicated people engaged in sexual activity, explaining this 'real' sex genre is "more likely to involve drunk people who wouldn't consent to being videoed if they were entirely sober":

> "You'll find a lot of the 'real' sex videos […] quite often the title is something like 'Drunk chick taken advantage of', but personally I'd rather than wasn't the case, though in most cases it's not […] Strictly speaking it sort of is rape in the fact that they can't

legally consent, but it's the sort of thing where it's not portrayed as… well, it's sort of put forward in a way that is not meant to focus on rape, like actual rape porn might, but… personally I find it a lot more exciting or interesting […] if the person, both people involved, or the people involved definitely know what they're doing." – *Andrew, 23, bisexual male and frequent consumer of 'real sex' videos*

Although Andrew acknowledges that the materials he his viewing may in fact be depicting rape, his justification for viewing the materials hinges on the fact that the rape is not the *focus* of the material and it is not his *intent* to view rape, which he further explains:

"It is actually heading into a very thorny debate there, because I never think of it as watching rape because in most of these videos you think 'Well, the partners involved in it are clearly not paralyticly drunk', so they're probably – not sober – but un-drunk enough that they more or less know what they're doing and they are consenting, but because that is a grey area on the fringe […] To be honest, until now, I hadn't actually thought about that particular element of those 'drunken' videos, and obviously I would never watch anything that is actually rape – something that was obviously meant to be very focus on rape, y'know, the video says 'girl raped' or something." – *Andrew, 23, bisexual male and frequent consumer of 'real sex' videos*

Andrew's account indicates he makes a judgement call about the levels of intoxication of those participating in the sexual activity. Furthermore, there is a clear distinction in his account between a 'drunken' video and a portrayal of rape, despite the two not being mutually exclusive. By discussing these materials in the interview context, however, Andrew indicated that his awareness of the potential for sexual violence or rape within a 'real' sex video involving intoxicated people had been heightened, stating: "until now, I hadn't actually thought about [it]". While tempting to solely critique Andrew's views – and the perspectives expressed by many of the young people – on rape, sexual violence and consent in pornography, these findings also demonstrate the pivotal importance of dialogue among young people on these issues in unpicking and re-figuring issues pertaining to rape in general, and specifically to how rape and sexual violence in pornography is negotiated and understood by consumers.

Departing from the common narratives of rape depictions given by the young people, two young people discussed portrayals of rape and sexual violence within pornography not through physical coercion but through gendered and socio-economic imbalances, explaining:

> "Rape, that's a difficult one as well because a lot of sex is just rape […] Like a lot of stuff in films, the woman is subdued or y'know, she's not saying 'no' but […] Even in some narrative type stuff it's like 'chambermaid' – there's like these set kind of role play things, isn't it, where they are constantly portrayed on the internet, like 'chambermaid', 'teacher' […] They all hinge on this kind of rape fantasy, I would say… quite a lot of the time… like dominating people, women, of a lower social class […] It's just a power thing isn't it, like 'I control your salary and therefore you can't say 'no' because you work for me'…" – *Willow, 25, queer female and occasional consumer of pornography*

Reminiscent of the anti-pornography feminist stance (see Dworkin 1979; Russell 1998), Willow's account points to the idea that there are numerous ways of viewing, negotiating and giving consent to sexual behaviour which are in turn mediated by socio-cultural factors. Likewise, Francis stated:

> "I think it's quite weird, even in the tamest kind of pornography you can never be sure whether someone is doing something for money – where do you draw the line? I think that's the problem, because it's hard to say 'well, you don't actually want to do that, you just don't know that you don't want to do that' because that's just as bad, but personally, because […] we're operating under a very long-term set of values and we're not sure why, it's easy to say 'free will – we can all make our own decisions' and 'maybe someone likes being tortured…' – Francis, 25, heterosexual male and past consumer of pornography

Here, Francis points to the uniquely post-feminist quandary regarding agency, wherein the critiques metered towards those engaging in possibly violent and degrading acts for the purpose of pornography are met with the rebuttals of free-will and even sexual empowerment.

The data indicated that the majority of young people overlooked this and other nuances when discussing depictions of rape and sexual violence. Indeed, the research found that the majority of participant accounts referred to and articulated giving sexual consent as a singular action prior to sexual activity, as opposed to consent as a process of negotiation throughout sexual activity. Moreover, the young people's accounts on consent in the context of both rape and BDSM materials did not include informed consent, whereby those depicted in the materials would not simply consent to a generalised activity of *sex*, but to each and every sexual act that occurs. The research found that young people's discussion of rape in pornography generally lacked nuance, and generally did not acknowledge that as soon as someone encounters an act they did not give prior consent to – such as anal penetration during the filming of a scene, for example[32] – then that material, by definition, becomes a depiction of rape.

Instead, rape pornography was posited by the participants as an overtly violent and distinct category of pornography, demonstrating that – especially given the *CJL(S)A 2010* and upcoming provisions for England and Wales – it is of paramount importance to further examine both exactly *what* constitutes rape in pornography and *how* consumers of pornography negotiate this. Moreover, these findings highlight that it is also of paramount importance to consider *what* constitutes depictions of rape under the 'extreme' pornography provisions and *how* this will be defined and ascertained within criminal law regimes. While, as discussed throughout this thesis, small-scale in-depth research does not necessarily lend itself to providing solid recommendations for policy formation and legislative reform, the findings from this exploratory research serve to highlight areas of particular legal import for further research and consideration – particularly, here, in relation to how depictions of rape proscribed by the 'extreme' pornography provisions are framed and defined within criminal law regimes.

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[32] As discussed by Lola in Section 4.1.3 of this Chapter.

4.3 Summary: The Range of Pornography Viewed by Young People

This Chapter has discussed the findings pertaining to young people's interactions with pornography and the range of pornography viewed by young people. Beginning with Section 4.1, this Chapter established that all of the young people participating in the research had viewed pornography (based upon the definitions outlined in Chapter 3.1), with the vast majority viewing pornography between several times per month to once or more per week. Within this, the research found that young people predominantly viewed pornography alone and accessed these materials through streaming videos online. This Chapter demonstrated that young people on average experienced their initial contact with pornography aged just below thirteen years old, and that since these initial contacts some young people purposefully ceased or reduced their consumption of pornography.

Section 4.2 of this Chapter discussed the range of materials viewed by young people, incorporating purposeful and accidental access. The findings demonstrate that there is less of a clear demarcation between purposeful and accidental exposure as posited in previous research (outlined in Chapter 1.2.1), as young people routinely view acts both purposefully and accidentally throughout the course of a single pornographic video. Moreover, the research found that these unwanted exposures – such as to visible ejaculation and choking – are regarded by many young people as a *necessary evil* of viewing pornography as such sexual acts are ubiquitous throughout mainstream pornographic content. In terms of violence-related content, this research found that many of the young people had viewed materials now criminalised under the *CJIA 2008* and the *CJL(S)A 2010*, such as depictions of people and animals, and injury-inducing and sexual violence. Within this, this research found that the young people who purposefully and regularly accessed violence-related materials employed a range of tactics to ascertain whether those depicted in the materials had given sexual consent. Yet, as this Chapter demonstrates, the notions of sexual consent expressed by the young people lacked both nuance and clarity as to what constitutes consent in the context of materials depicting rape, 'rape fantasy' and violence, thus highlighting areas of legal import for further research and consideration.

CHAPTER 5

Findings III: Young People's Perspectives on the Legal Regulation of Pornography

This Chapter outlines the empirical research findings pertaining to Research Question 3 – 'What are young people's perspectives on the legal regulation of pornography?'. With an unprecedented amount of free pornographic content online and legislation criminalising the possession of 'extreme' pornography being passed in tandem, the legal regulation of pornography has gained increasing relevance to young people's lives. What was once largely a task of regulating the distribution of obscene materials has transformed into criminalising the consumers of pornography – and young people are a significant demographic within the consumer group.[33] Therefore, it is pertinent to ask what young people know and think about the law. This Chapter discusses the findings from the empirical research with young people in direct response to Research Question 3 (as outlined in Chapter 2.1). Do young people know what materials are a criminal offence to possess? Which materials, if any, do *they* think should be legally regulated? What do young people think about the content and legal regulation of materials not depicting 'real' people? Would they be deterred from viewing materials they knew or thought to be criminalised? The findings discussed throughout this Chapter seek to address these questions, through analysis both of young people's accounts and the Spectrums they constructed in Interview II (as outlined in Chapter 2.2.1.2) in the context of the current legal regulatory framework for pornographic materials in Scotland, England and Wales. While, as discussed throughout this thesis, the nature of small-scale in-depth research does lend itself to providing solid recommendations for legislative reform or policy formation, conducting exploratory research with consumers of pornography in the area of legal regulation – and specifically the 'extreme' pornography provisions – can serve to draw out areas of particular import for further research and consideration.

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[33] As discussed in Chapter 4.1.1, almost all of the young people participating in the empirical research accessed pornographic videos online at least several times per month.

This Chapter therefore discusses the findings pertaining to young people's perspectives on the legal regulation of pornography in five key areas. Beginning with Section 5.1, this Chapter discusses the materials young people think are currently criminalised and the offences within the legislation. Section 5.2 then outlines the findings pertaining to what materials young people think should be criminalised, with Section 5.3 discussing the findings on the impacts of proscriptive legislation upon young people's access to criminalised materials. Next, 5.4 discusses young people's perspectives on animated, cartoon and computer-generated materials. Finally, Section 5.5 discusses the findings pertaining to young people's perspectives on the capacities of pornography to 'deprave', 'corrupt' and harm, followed by a summary of the findings discussed throughout this Chapter in Section 5.6.

Alongside legal regulation, young people also shared their perspectives on non-legislative means of restricting the availability of and access to pornographic materials, the numeric findings from which are summarised in Appendix 12. For the purpose of clarity, this thesis chose to focus solely on young people's perspectives on the *legal* regulation of materials and so while much rich data was collected with regard to non-legislative methods of regulation – such as that enacted by Internet Service Providers and possible alternatives to criminalisation – the findings pertaining to this were outwith the remit of the Research Questions (as outlined in Chapter 2.1) of this thesis. A key and significant finding from this area of data is, however, relevant also to legal regulation – the finding that the majority of young people thought that access to pornographic materials should be more strictly regulated in terms of age and that pornography should not be available to young people until they are aged between 16 and 18 years old. This finding compared with the finding that the young people on average first viewed pornography aged just below thirteen years old (as discussed in Chapter 4.1.4.1) suggests that young people may believe their initial contacts with pornography to have occurred too early in their lives – corroborating Livingstone and Bober's (2005: 4) findings on this theme (discussed in Chapter 1.2.1).

While the remaining findings pertaining to non-legislative regulation are not discussed in this thesis, the depth and nuance of the data did, however, again reinforce the argument that it is necessary to research the perspectives of active consumers of (and those who have encountered) pornography – and especially the voices of young people within these groups –

in order to situate their perspectives within the dialogues pertaining to the legal regulation of pornographic materials.

5.1 Materials Currently Criminalised in England and Scotland

This Section presents the findings on young people's perspectives on what materials *they* think are currently criminalised in the UK, and what contexts these materials are criminalised in (production, distribution or possession). It became apparent during the interviews and when analysing the data that the vast majority of participants were not aware of the *CJIA 2008* and *CJL(S)A 2010* provisions pertaining to 'extreme' pornography. The young people therefore did not consider or discuss differences between the legal regulatory frameworks for pornographic materials in Scotland or England and Wales and did not differentiate between these regions or countries, instead discussing their perspectives on current legislation in a UK-wide context. This finding that consumers of pornography are not necessarily aware of the current provisions raises important questions as to the role of the legislation (discussed further in Section 5.3), and perhaps suggests that this is an area requiring further research and investigation when considering arguments for legislative reform. As the young people predominantly articulated their views on criminalisation from this UK-wide perspective, the findings discussed in this Section therefore pertain to the UK as a whole and are therefore not differentiated by region or country.

For context, as outlined in Chapter 1.3.2, the possession of 'extreme' pornography is a criminal offence as set out by the *CJIA 2008* and the *CJL(S)A 2010*. Each outline the types of pornographic materials that are proscribed under the Acts. The *Criminal Justice and Immigration Act 2008* constitutes it a criminal offence to possess 'extreme' pornographic materials. Section 63 of the legislation sets 'extreme' materials as depicting the following 'in an explicit and realistic way':

(a) 'An act which threatens a person's life;

(b) An act which results, or is likely to result, in serious injury to a person's anus, breasts or genitals;

(c) An act which involves sexual interference with a human corpse; or

(d) A person performing an act of intercourse or oral sex with an animal (whether dead or alive);

And a reasonable person looking at the image would think that any such person or animal was real.'

Meanwhile, the *Criminal Justice and Licensing (Scotland) Act* sets out 'extreme' pornography as materials depicting:

(a) 'An act which takes or threatens a person's life;
(b) An act which results, or is likely to result, in a person's severe injury;
(c) Rape or other non-consensual penetrative sexual activity;
(d) Sexual activity involving (directly or indirectly) a human corpse;
(e) An act which involves sexual activity between a person and an animal (or the carcase of an animal).'

Differing from the current provisions in the *CJIA 2008*, the Scottish provisions include depictions of 'rape or other non-consensual penetrative sexual activity'.

Graph 5 and Table 31 below outline the materials young people think are currently criminalised. Generally, participants thought that a wider range of materials were currently criminalised than actually are proscribed under both the *CJIA 2008* and the *CJL(S)A 2010*. In terms of production, distribution and possession offences, participants generally believed there to be far more legislative weighting towards production and distribution, with a significant proportion of participants being unaware that possession offences for materials described by the *CJIA 2008* and *CJL(S)A 2010* as 'extreme' pornographic materials – and, indeed, any possession offences for materials depicting adults engaged in sexual activities – existed in UK legislation.

Graph 5: Materials Young People think are Currently Criminalised
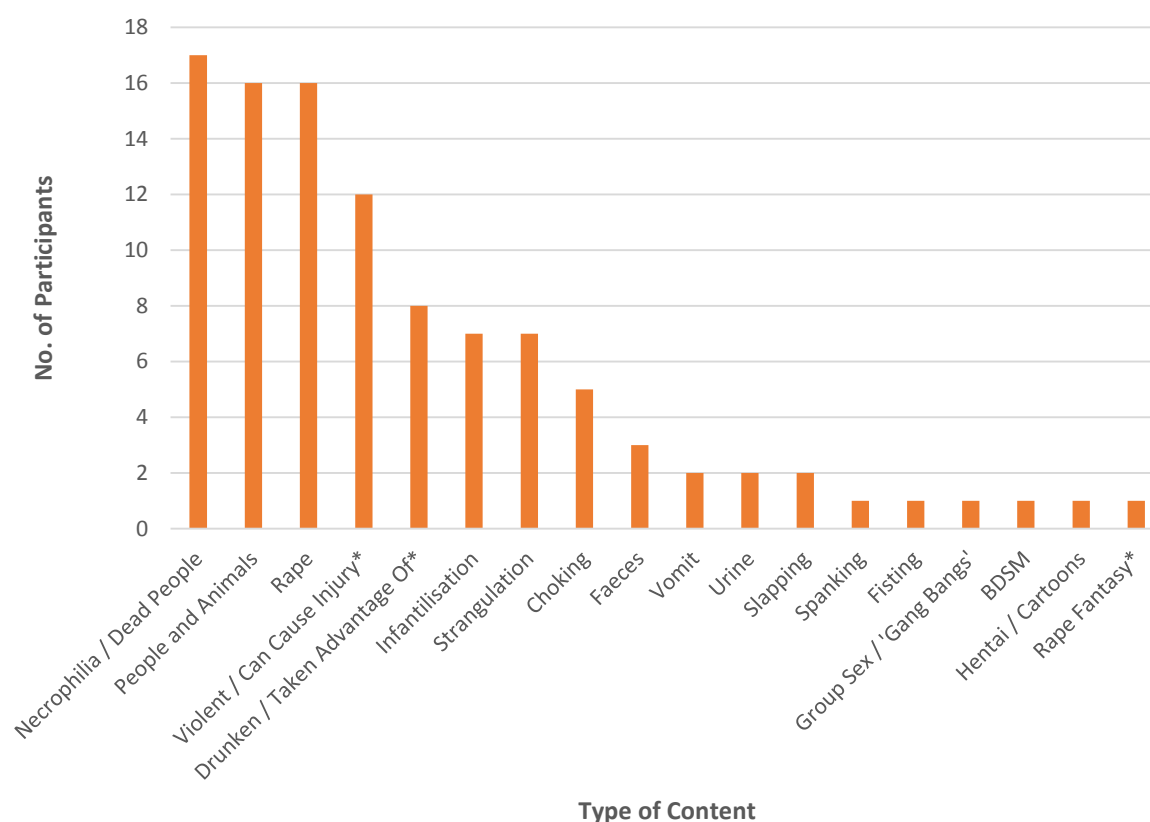
Table 31: Materials Young People think are Currently Criminalised	
Type of Pornographic Content	**No. of Participants**
Necrophilia / Dead People	17
People and Animals	16
Rape	16
Violent / Can Cause Injury*	12
Drunken / Taken Advantage Of*	8
Infantilisation	7
Strangulation	7
Choking	5
Faeces	3
Vomit, Urine and Slapping	2
Spanking, Fisting, Group Sex, BDSM, Animated Materials and 'Rape Fantasy'*	1

As indicated by Graph 5 and Table 31, the research found that almost all of the young people thought depictions of necrophilia or sexual interference with a corpse was criminalised. Likewise, almost all participants thought depictions of sexual activity with an animal and rape were also criminalised. Two thirds of participants believed depictions of violence that can cause injury to be criminalised, while almost half of participants thought depictions of inebriated people engaging in potentially non-consensual sexual activity were criminalised. Over a third of participants believed depictions of infantilisation and strangulation to be criminalised, while a handful of participants thought depictions of choking were currently criminalised. Small numbers of participants believed depictions of faeces, vomit and urine to be criminalised, alongside depictions of slapping.

As materials containing 'rape fantasy' (differentiated by many young people from depictions of rape) was contributed to the Spectrum materials by a participant at the end of the fieldwork process, the findings cannot offer a full-picture of young people's perspectives pertaining to the legal regulation of this type of content. However, considering the findings pertaining to rape and 'rape fantasy' discussed in Chapter 4.2.3.5, this highlights that young people's perspectives on materials depicting 'rape fantasy', the lack of clarity around rape, and the legal regulation of these materials could be an area of significant interest for future research in this area.

Referring back to Chapter 4.2.3, which discusses the findings pertaining to the range and types of violence-related pornographic materials young people had encountered, it is evident that young people have encountered – and, in some cases, purposefully viewed – materials it later emerged in the data that they also thought to be currently criminalised in the UK. Table 32 presents a comparison of the numbers of young people who think a material to be criminalised in general, the numbers of young people who think possession of a material is currently criminalised, and the number of young people who have viewed these materials.

Table 32: Comparative Table of Perspectives on Criminalised Materials and Materials Viewed by Young People

Type of Pornographic Content	No. of Participants		
	Currently Criminalised (General)	Currently Criminalised (Possession)	Viewed or Encountered by Participants
Necrophilia / Dead People	17	13	1
People and Animals	16	10	11
Rape	16	7	9
Violent / Can Cause Injury*	12	2	10
Drunken / Taken Advantage Of*	8	2	11
Infantilisation	7	3	14
Strangulation	7	2	13
Choking	5	2	13

As illustrated by Table 32, a significant proportion of young people had both viewed depictions of people and animals (often accidentally, as discussed in Chapter 4.2.3.4) and also thought it to be a criminal offence to possess these materials. This is also the case with depictions of rape, though the findings pertaining to rape discussed in Chapter 4.2.3.5 highlight young people's difficulty in defining what constitutes rape in the context of pornographic materials. As also indicated in Table 32, in the case of some materials – such as those depicting injury-inducing violence, infantilisation and strangulation – there was a clear disjunction between the number of young people who had viewed these materials and the numbers who thought it to be a criminal offence to possess the materials. These findings suggest that young people are encountering materials that are currently criminalised under the *CJIA 2008* and *CJL(S)A 2010* and, as discussed throughout Chapter 4.2, are viewing these types of pornographic materials and content both accidentally and purposefully.

While it is a criminal offence to possess materials depicting sexual activity between people and animals, almost two thirds of the young people had viewed these materials – often accidentally. Despite this, Jo stated "it's pretty easy to get your hands on anything to do with animals", which is reflected by the proportion of participants who had viewed these materials. In the context of legal regulation, the young people discussed at length the ethics of engaging in sexual activity with animals, alongside distributing and viewing these materials, with much discussion pertaining to the rights and welfare of animals – more so than the entirety of the data pertaining to the rights, welfare and potential abuses of the people depicted in pornography. Indeed, the research found that most of the young people were better able and more willing to justify criminalising the possession of bestial materials than of those depicting rape and sexual violence. The reason most commonly cited by the young people for this disparity was that animals cannot consent to sexual activity, yet it is ultimately unclear in pornographic materials whether the people depicted have consented to the sexual activity.

5.1.1 Materials Currently Criminalised: Production, Distribution and Possession Offences

This Section outlines the contexts in which young people think the materials outlined in Section 5.1 are currently criminalised – specifically, whether they think it to be a criminal offence to produce, distribute and/or possess these materials – as illustrated by Table 33 below.

Table 33: Young People's Perspectives on Currently Criminalised Materials by Offence					
Type of Content	**Production**	**Distribution**	**Possession**	**Currently Criminalised (Possession)**	
				CJIA 2008	*CJL(S)A 2010*
Necrophilia / Dead People	94%	88%	71%	Yes	Yes
People and Animals	76%	71%	59%	Yes	Yes
Rape	65%	65%	42%	No[34] (Unless material also depicts life-threatening injury; injury to anus, breasts and genitals)	Yes
Violent / Can cause injury*	35%	29%	12%	Yes (dependent) (Life-threatening injury; injury to anus, breasts and genitals)	Yes (dependent) (Life-threatening injury; severe injury)
Infantilisation	29%	29%	18%	No	No

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[34] As discussed in the Introduction to this thesis and in Chapter 1.3.2.4.2, it was announced in 2014 (McGlynn and Rackley 2014; Woodhouse 2014) that the possession of images of rape is to be a criminal offence in England and Wales. Yet, at the time of conducting the empirical research and at the time of writing, it is not currently a criminal offence to possess images of rape in England and Wales.

Table 33 shows the highest frequenting materials participants believed to be criminalised alongside the percentage of participants who thought it be an offence to produce, distribute and/or possess these materials, also in comparison to the current *CJIA 2008* and *CJL(S)A 2010* provisions. While Table 33 omits the 'Drunken / Taken advantage of' and 'Strangulation' categories present in Table 32 due to a lack of participant discussion pertaining to the contexts by which these materials may be criminalised, many of the young people believed these materials to be criminalised at least in the contexts of production and distribution.

As indicated by Table 33, not all participants believed it to be an offence to possess the materials proscribed by the *CJIA 2008* and the *CJL(S)A 2010.* Participants generally believed there to be more legislative focus on production and distribution of what are legally regarded as 'extreme' materials, with almost 20% less participants believing it to be a criminal offence to possess materials depicting sexual activity with corpses or animals than to produce these materials. In the case of depictions of rape, less than half of all participants believed it to be an offence to possess these materials, with only forty per cent of participants resident in Scotland stating that they believe it to be a criminal offence to possess materials that depict rape.

When discussing the contexts in which materials may be currently criminalised, participants were generally unaware of current legislation providing possession offences for pornographic materials. While almost all participants agreed that it is a criminal offence to produce or distribute materials depicting sexual interference with a corpse, participants were markedly less resolute regarding offences relating to depictions of animals, rape and injury-inducing violence. Interestingly, almost thirty per cent of participants thought it may be a criminal offence to produce and distribute infantilising materials depicting people as being underage, with a small number of participants believing even the possession of these materials to be criminalised. Only one participant, Tom, was aware of the 'extreme' pornography provisions, as he had researched the current legislation online prior to attending Interview II. The remaining young people were not aware of the current provisions in the *CJIA 2008* or *CJL(S)A 2010*.

5.2 Young People's Perspectives on what Materials Should be Criminalised

This Section of outlines the findings pertaining to what materials young people think should be criminalised, and the offences – such as production, distribution and possession – young people think these materials should apply to these materials. Graph 6 and Table 34 outline the materials young people think should be criminalised.

Graph 6: Materials Young People think should be Criminalised
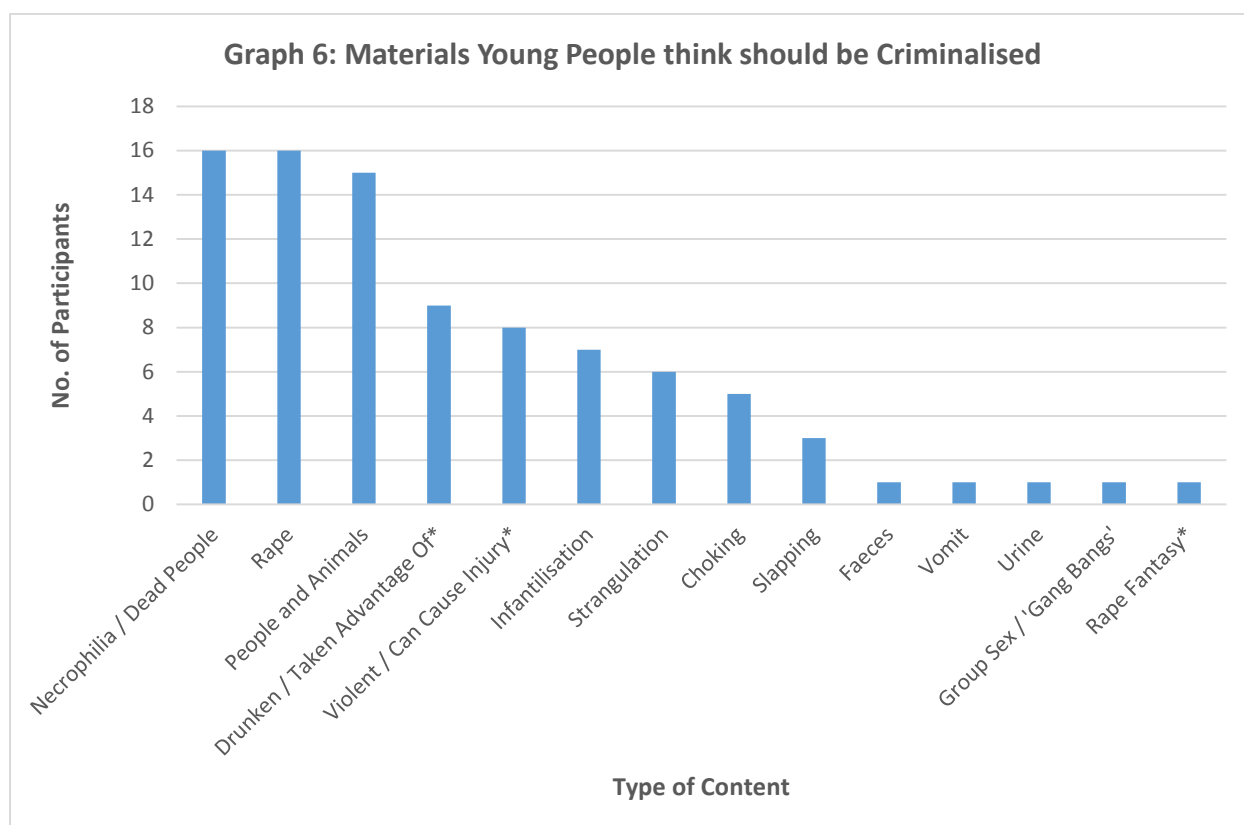
Table 34: Materials Young People think Should be Criminalised		
Type of Content	Total No. Participants	Total % Participants
Necrophilia / Dead People	16	89%
Rape	16	89%
People and Animals	15	83%
Drunken / Taken Advantage Of*	9	50%
Violent / Can Cause Injury*	8	44%
Infantilisation	7	39%
Strangulation	6	33%
Choking	5	28%
Slapping	3	17%
Faeces, Vomit, Urine, Group Sex, Rape Fantasy*	1	6%

As outlined by Graph 6 and Table 34 above, almost all participants thought depictions of necrophilia, people and animals, and rape should be criminalised. Participants generally thought that legislation ought to address the production, distribution and possession of these materials, although some participants believed punishment for possession offences should be less stringent than production and distribution, while a handful of participants stated that possession offences should not apply to these materials.

In addition, half of all participants thought depictions of inebriated people engaged in potentially non-consensual sexual activity ought to be criminalised, while just under half of participants thought depictions of violence with the potential to cause injury ought to be criminalised, with some participants stipulating that such violence was not that which is being enacted in a consensual BDSM context. Similarly to what materials participants thought were currently criminalised, over a third of participants thought infantilised materials ought to be criminalised. A quarter of participants thought depictions of strangulation should be criminalised, while just under a quarter of participants thought depictions of choking ought to be criminalised. Meanwhile, a handful of participants thought depictions of slapping should be criminalised, with David stating depictions of vomit, faeces and urine should be criminalised, Willow stating depictions of rape fantasies should be criminalised and Sam stating depictions of group sex ought to be criminalised.

5.2.1 Perspectives on Production, Distribution and Possession Offences

In terms of the offences of production, distribution and possession of pornographic materials, the research found that the young people unanimously agreed that in the event of criminalising certain pornographic materials, creating a production offence should be the focus of the legislation. The young people also agreed that the distribution of these materials ought to be the secondary legislative focus, although a small number of the young people stated that production and distribution offences should wield equal legislative weight in terms of the criminal offences created. With possession, the majority of participants stated that this ought to be legislated against less stringently than production and distribution, with two participants stating that possession offences should not exist. David, meanwhile, was the sole young person to state that production, distribution and possession should be regarded with equal severity and, in the event of legislation, the law ought to reflect this.

The young people agreed that any legislation pertaining to the regulation pornographic materials should focus primarily on production offences. Out of the three main possible offences – production, distribution and possession – participants generally thought production to be most serious and those involved in this act the most culpable for any crimes committed. Participants generally agreed that distribution was a lesser offence than production, yet the distribution of materials should have more legislative and punitive focus than the possession of materials, while several participants thought production and distribution should hold equal legislative and punitive focus.

Many participants discussed criminalising production in a preventative context, reasoning that if the materials did not exist there would be no opportunity to distribute and possess those materials. The young people used phrases such as "nipping it in the bud" (Neil) and "cutting off the source" (Violet) to articulate how criminalising production and actively seeking prosecutions on this offence may halt the availability of – and therefore possession of – these materials. The young people discussed a range of reasoning for this viewpoint, with some stating that criminalising production would simply inhibit demand, while other participants believed those in possession of materials to be less culpable, either due to being unaware of the true nature of the content of the materials or due to being unable to control sexual urges or fetishes. When asked which offence or offences should be criminalised and enforced most strongly, for example, Sarah stated that there is a direct correlation between production and consumption, with the consumers of the materials being less culpable for any crimes than the producers:

"Production, because if you're consuming it and you're just having it on your computer… I feel like if you have that fetish you can't really control what turns you on, and if there's someone making it then yeah, you probably shouldn't have in on your computer because you're supporting the industry that makes it, but it's not a terrible thing, but I'd want to dissuade people from having because obviously the more people who want it the more it gets made, but I would definitely say it's the production and the distribution that's the main issue […] because if no one was Google-ing 'Woman has sex with a horse' no one would be making that porn, but it is because there's the demand for it that it gets made, so I guess I'd want to dissuade people from looking

for it and dissuade people from making it…" – *Sarah, 20, 'questioning' female and frequent consumer of pornography*

Sarah's statement reflects a view that there is a direct correlation between what materials people search for online and what materials are produced, whilst also suggesting that the consumers of these materials hold less responsibility than the producers due to sexual fetishes certain consumers may be unable to control. Violet echoes Sarah's view, explaining that some people will inevitably seek out certain materials for "shock value" and a desire to transcend societal taboos:

"See, in my naïve opinion, I think it's to produce – I mean, not the specific people involved, like the actors and stuff, as they've got their own reasons for being involved – but to actually actively say 'Yes, I want to make a snuff movie' or something, and then to distribute it and everything, should be worse – but maybe not worse in the sense that morally that's the worse thing to do, but that one should be the one that's clamped down on, sort of cut off the source, so to speak, as there's always going to be people who will look at whatever they can find, for shock value or whatever, so if you cut off the source… but I suppose you can never cut off the full source, there's always some that slips through, so… it's so taboo and appealing because it's so rare […] I suppose you've got a better chance of clamping down on people for possession if it's harder for them to possess it, if they've got to go to greater lengths to possess it, then it's then easier… so if distribution and production were tackled first, then it would certainly make it easier to regulate possession…" – *Violet, 22, heterosexual female and frequent consumer of pornography*

Violet's statement indicates that she believes it to be preferable to criminalise the production of materials above the distribution and possession. While Andrew reflects this view, he also stated that if production were criminalised so should distributing and possessing materials, with the Police and Crown Prosecution Service's attention more focussed on production:

"I'd be mostly focussed on production to be honest, because if no one's producing it then no one can distribute it or possess it. The production is the bit you'd need to crack down on, though whether that means I wouldn't criminalise distribution or

possession – I would just argue that the Police should focus on production. I think distribution should be criminalised as well […] Instinctively I would say that with anything that is illegal to produce or distribute or possess […] – if one was illegal, then so should the others be, with varying amounts of focus on what is actually cracked down on…" – *Andrew, 23, bisexual male and frequent consumer of 'real sex' videos*

Differing from the more linear processes discussed above by participants, Lola characterised the process as a "cycle", explaining:

"Production I'd say, because it's kind of filtering up the tree – if one person makes that movie, it enables people to watch it and possibly get ideas of their own – it feeds the cycle basically. If you cut off production at its core, it stops, pretty much." – *Lola, 19, heterosexual female and occasional consumer of pornography*

Whilst indicating that there is a reciprocal relationship between production and consumption, Lola stated that halting production would halt consumption, which challenges notions that consumer demand is a driving force underlying the production of materials. Sasha expressed a similar viewpoint to Lola in that legally restricting production and distribution may halt consumption, yet questioned whether this legislative action would have the desired prohibiting impact:

"[…] if it's not available then people can't consume. But then I don't know – if the production and distribution was tackled and it wasn't available, the people who want it to be available would probably just make it themselves or actually go and seek out experiences like that…" – *Sasha, 23, pansexual female and frequent consumer of pornography*

Here, Sasha's comments illuminate two key issues. Firstly, Sasha states that in the absence of materials those who were consumers may choose to make their own materials, which points to the general view evident during participant discussions in this area – the view that producers of pornography are always production companies. Secondly, Sasha states that a lack of materials may cause consumers to seek out experiences outwith pornography, which speaks to notions around the preventative capacity of pornography, discussed further in Section 5.5.

In terms of the content of materials, Tom stated that producers have a responsibility to decide what materials are "acceptable" to produce for audiences, their culpability being compounded by producing these materials for the purpose of capital gain:

> "I think production is more serious, because you're actually involved and looking to make money off of it... once you put stuff out there, one thing you can be sure of is that people will watch it... so I suppose it's the producers' role to try to be the arbiter of what is good taste or acceptable taste, and what isn't... so, I think in terms of penalties, the producers should have the highest penalties, the harshest penalties... whereas, I don't think the crime committed by those who possess it is as serious – I mean, don't get me wrong, it's not ideal to be watching this stuff – but I suppose it's one step down the chain, you're one step further removed from it if you just own it... it's not as serious, but I think it should still be punishable..." – *Tom, 20, heterosexual male and frequent consumer of pornography*

Tom stated that those in possession of these materials are "further removed" and therefore have less legal responsibility than the producers. Hayley's view also reflected this, wherein in she stated she would put most legislative focus upon production as it is "the physical act of exploiting women and breaking the law".

Hayley's statement regarding physicality, alongside Tom's views on the distanced or absent consumer, elicit questions around responsibility – both legally and morally – towards the production, content and proliferation of pornographic materials. When discussing criminalising producing, no participants stated that they would seek to create offences for those depicted in pornographic materials – with Violet outright stating above that those depicted should not be criminally responsible and Willow stating "by producer I mean the boss, and not the actual people in the video" – presumably with the exceptions of rape, necrophilia and (in most participants' views) sexual activity between people and animals. Furthermore, only David held the possession of materials on an equal level with production and distribution offences. This suggests that most participants view those commissioning and producing materials as most responsible for the content of the materials and – even if demand is perpetuating the production of these materials – the consumers hold far less responsibility.

Indeed, the research found that young people were less likely to support the creation of possession offences than they were to support the creation of production and distribution offences. This finding centred on the key themes of intent – whether an individual is aware that they are in possession of a non-consensual or 'real' material – and of the potential preventative capacities of pornography, as in whether access to 'extreme' materials limits or encourages consumers to actively pursue these experiences outwith accessing pornographic materials, the latter theme being discussed in Section 5.5. The hesitance for young people to advocate possession offences was also, in part, due to a general sense among the young people that criminalisation and the criminal justice system was not an adequate way in which to address the consumption of 'extreme' or violent materials and the issue of these materials' existence more generally.

Young people generally expressed that consumers should be less legally culpable than producers and distributors, as it is not always clear for consumers whether the materials they are viewing contain non-consensual or criminalised activities, as Juan explained:

> "In rank-order I think that production is the worst, distributing it is the second worst, and possessing it is the least worst, but still bad… Possessing it being fully aware of what it is, because you could possess rape porn and not be clear that it is rape […] – you could have someone kicking and screaming and it'd be very clear that it was rape, and if you possess it, in my opinion, you'd be very aware that that's taking place… and someone can be very submissive and not fighting back, and you might not know that person's being raped, so it's different…" – *Juan, 21, gay male and frequent consumer of pornography*

Juan's statement here suggests that a consumer is more culpable if they are aware that the material they possess depicts non-consensual or illegal activity. Meanwhile, Willow also discussed the difficulties for consumers of ascertaining the provenance and context of materials:

> "With consumption, I think it's very easy to not understand the context in which you're viewing things – like on a porn site on the internet it doesn't say what the conditions were like for those who made it, or what the contracts were between people. Perhaps

that would be a cool thing to be put in place, so if you were going to view something you could read all of those things and make an educated choice whether to view it or not…" – *Willow, 25, queer female and occasional consumer of pornography*

This concept of including contextualising disclaimers in or alongside materials, as discussed by Willow, was also discussed in the context of BDSM materials in Chapter 4.2.3.1 as a means to establishing whether those depicted in the materials had consented to the activity. Such discussion of the need for contextualising disclaimers inevitably creates a dichotomy between what is 'real' non-consensual or illegal activity and what is staged or 'fake' non-consensual or illegal activity. For many of the young people, such as Andrew, the research found that this dichotomy was a key factor informing their views on criminalising the possession of materials:

"When it comes down to possession […] – I've still got this distinction in my head of actual rape, actual bestiality, and actual necrophilia, and staged scenarios of those – with the former, all three should definitely be illegal, the latter I'm not that sure about." – *Andrew, 23, bisexual male and frequent consumer of 'real sex' videos*

Andrew expresses uncertainty around whether possession of materials depicting staged or 'fake' non-consensual or illegal activity should be criminalised. This finding emerged too in young people's viewing and engagement with pornographic materials depicting violence-related activities – including rape – as discussed previously in Chapter 4.2.3.5.

These findings that young people generally believe that possession offences should be tertiary to production and distribution call into question the responsibility those who consume pornography are willing to take for any harms experienced by those involved in the production of materials. As Whisnant (2010: 122) discusses in her analysis of the grooming of male consumers by the pornography industry, '[for] the online porn consumer, responsibility is diffused', explaining that '[the] anonymity of the online environment contributes to a sense of diminished responsibility' of consumers. Contextualising this with research into diminished or displaced responsibility such as the infamous Stanford Prison Experiment and the Milgram studies (Zimbardo 2007; Blass 2004 cited *Ibid*), Whisnant (2010: 121) states that '[responsibility] can be either *displaced* onto some other person or entity' – in this case the producer of the material – 'or *diffused* throughout a larger group or network'.

Within peer-groups, this diffusion occurs through processes of normalising the consumption of pornography, with young people's initial contacts with pornography occurring through or with peers (as found in Chapter 4.1.4.2). In an online context young people are granted unlimited access to free hardcore pornographic content, thus perpetuating this process of normalisation through dispersal of personal responsibility.

This concept of dispersal becomes most pertinent in the context of diminished responsibility of – and therefore lesser legal sanctions for – consumers of pornography, as stated should be the case by many of the young people. As many of the young people stated in the context of criminal offences and in their consumption of pornography (in Chapter 4.2.3.1 and 4.2.3.5) that it was not always possible to ascertain whether those depicted in the materials had given informed consent, it may be that the potential harm to people in the production stage is regarded as negligible in comparison with the volume of people who will benefit from consuming the product, and any responsibility for a person's harm is dispersed amongst the consumer base. Moreover, as consumers are distanced from the circumstances around the provenance of the product they are consuming, it is interesting area for future consideration – whether this distancing further enables the abdication of a responsibility that is already dispersed amongst a wide consumer base and therefore influences young people's lack of support for and agreement with possession offences, as suggested by this research.

5.3 The Impact of Criminalisation upon Young People's Decisions to Access Materials

"If you knew or thought it to be a criminal offence to view or possess a certain pornographic material, would it make you more or less likely to view or possess that material?"

– Interview Question 10 (Appendix 10)

The research found that two thirds of young people stated that if they knew or thought it to be a criminal offence to possess or view a certain pornographic material, they would be less likely or wholly unlikely to possess or view that material, while one third of participants stated that the knowledge that a material was criminalised would have little impact on their choice whether or not to view or possess that material, as outlined in Table 35 below.

Table 35: Young People's Likelihood of Accessing Materials they knew or thought to be Criminalised		
Would not possess or view	Less likely to possess or view	No impact
7 participants	5 participants	6 participants

As outlined in Table 35, opinion was evenly divided among the young people as to the impacts legislation against possession would have upon their choices whether or not to view or possess pornographic materials. This investigation into the preventative capacities of legislation generated findings both on the impacts of actual or perceived legislation upon young people's decision-making processes around accessing pornography and on young people's attitudes towards proscriptive legislation more generally. Beginning with a brief overview of how this issue was investigated with the young people in the Interview context, this Section will outline the findings pertaining to the justifications for not viewing or possessing materials due to actual or perceived legislative sanctions and the findings pertaining to young people's justifications for actual or perceived legal proscriptions having little impact on the materials they choose to view respectively.

The Interview Question (as in Appendix 10) – "If you knew or thought it to be a criminal offence to view or possess a certain pornographic material, would it make you more or less likely to possess or view that material?" – was phrased to include viewing and possession, in

order to respond to the emerging findings (outlined in Chapter 4.1.2) that the young people participating in the empirical research were more likely to stream pornographic materials online than they were to download materials from the internet or purchase pornographic DVDs or magazines. As discussed in Chapter 1.3.2.3, possession offences outlined in the *CJIA 2008* and the *CJL(S)A 2010* may well also pertain to streaming materials online, therefore the phrasing 'view or possess' was used in order to provide clarity both for the young people who predominantly streamed materials and for the research.

5.3.1 Criminalisation as Deterrent

Of the two thirds of young people who stated they would be wholly unlikely or less likely to view or possess materials they knew or thought it to be a criminal offence to view or possess, a number of findings emerged. These young people would be wholly or less likely to view or possess materials mainly due to the fear of punishment or prosecution and the resulting fear of damage to their reputation, alongside a lack of interest in accessing materials that they perceived to be currently criminalised (as outlined in Section 5.1). In addition, the findings suggest that for a minority of young people they also did not wish to break any actual or perceived laws. There was a clear demarcation in these findings – this demarcation being based upon whether the materials in question were materials the young people would wish to view or possess in general.

The fear of punishment or prosecution and resulting fear of damage to their reputations occurred most commonly in the data pertaining to the capacities of proscriptive legislation to act as a deterrent to accessing pornographic materials – as Andrew directly stated: "Fear of punishment, and also reputation!". For Juan – who aspired to becoming a teacher – he would even be deterred from accessing materials he regularly accessed (such as gay pornographic content) due to a concern that his reputation, credibility and future career choices could be damaged:

> "If they criminalised, say, sex between two men – which I think is completely okay to
> watch – I would think that was wrong, but I probably wouldn't watch it because I think
> things like this can really damage your credibility […] If it was criminalised and being

caught could damage my ability to do certain things, even if I disagreed with it, I wouldn't watch it…" – *Juan, 21, gay male and frequent consumer of pornography*

For Juan and other young people interviewed, the impact of proscriptive legislation would be absolute upon their decisions whether to access proscribed materials. A number of participants also cited potential embarrassment as a dissuading impact of proscriptive legislation, as Neil explains:

"A mixture of both – fear of punishment, but also the embarrassment of punishment as well afterwards, the fact that people would know what you'd been doing, and I'm not a person to shout out about my private life anyway, so it would probably be the ultimate embarrassment to have my personal, personal things being spread…" – *Neil, 22, gay male and frequent consumer of pornography*

Like Neil, Willow describes this aspect of the dissuading impact of proscriptive legislation as a "double punishment" and discusses her existing self-censorship when accessing materials online:

"It puts you off because there's a double punishment around that sort of thing, because you go to prison, but there's also the embarrassment and shame around those sorts of things – I think even when it's legal, when you're online you kind of self-censor because you're like 'Would I want anyone to find out that I've seen this or that I've wanted to watch this?', you know on the internet that to some extent your actions can be tracked or could be seen, so I think you're already kind of less likely to want to […] And it's easy to think as a 25 year old woman that that wouldn't apply to you. I still think of myself as quite young and as someone who could be exploited in a similar way, and have been exploited, so you think 'I couldn't get in trouble for this', but you totally could because you're a legal adult. When you see things like that on websites, you're like 'I'm not even going to look at that!', because you see in the media all the trouble you can get in…" – *Willow, 25, queer female and occasional consumer of pornography*

For Willow, this "double punishment" includes both potential punishment or prosecution and embarrassment and shame. Moreoever, as Juan discussed in the context of mobile

applications for gay men in Chapter 4.1.5.3, Willow expressed a fear that she could unwittingly access materials depicting people below the age of sexual consent and that – even as a young woman and as a survivor of sexual exploitation herself – she could be subject to prosecution for unwittingly accessing these materials.

These findings relating to fear of public prosecution – and the resulting embarrassment and damage to reputation – are reminiscent of research conducted by Eaves on men who buy sex from women (Farley *et al* 2009). The study – *Men Who Buy Sex: Who they buy and what they know* – aimed to establish measures that would discourage or dissuade men in London from buying sex, and found that the majority of men would be deterred from buying sex if the penalties included having their picture and/or name made public on a billboard, local newspaper or on the internet, and also if letters were sent to family members regarding their purchasing of sex from women. Farley *et al*'s (2009) findings are reflected in this research, wherein the fear of their activities being made public mediates some young people's decision-making process around accessing materials. Although such a finding from a small-scale in-depth study does not lend itself to directly informing policy or legislative reform, the impact of criminalisation upon consumers' choices in conjunction with consumers' apparent lack of knowledge of the current 'extreme' pornography provisions (as discussed in Section 5.1) suggest that this is an area requiring further investigation and consideration, particularly in the context of legislative reform debates.

5.3.2 Low Impacts of Criminalisation

As outlined previously in Section 5.3, the research found that one third of young people stated that the knowledge that it may be a criminal offence to possess or view materials would have no impact upon their decisions whether to view or possessed those materials, while a third stated that criminalisation would only have *some* impact upon their choices. These young people most often cited subversive motivations (such as a desire to test legal boundaries, anti-authoritarian attitudes, and curiosity) and a perceived low risk of being caught and prosecuted. The research found that outwith this third of young people who expressed the low impact of proscriptive legislation, many of the young people in general may be willing access materials they knew or thought to be criminalised, also often due to curiosity.

In terms of subversive motivations to access criminalised materials, the research found that the choice to possess or view criminalised materials was likened to taking illegal drugs, underage drinking, and shoplifting by some participants; metaphors serving to demonstrate the potential thrill involved in breaking the law. Here, it was both curiosity and an apparently anti-authoritarian drive that were foregrounded as motivating factors, rather than participants being motivated by an express desire to view a particular material for the purpose of sexual arousal.

The research found that for some young people, the desire to view a particular material outweighed the perceived risks of being caught and prosecuted for an offence. Sarah, a regular viewer of BDSM and depictions of 'rape fantasy', likened the possession of criminalised pornography to downloading copyrighted music without purchase on the internet, explaining:

> "…you're aware that it's illegal, but you're also aware that there are a million other people that are doing it at the same time, and the likelihood that they come to your house is so low that it's not worth worrying about… it's just so difficult to implement… and especially because I watch porn casually when I want to – it's not like I'm sat there for 20 hours a day watching rape porn constantly on a circle – I just think that I'm probably very, very low down on their list of people to care about…" – *Sarah, 20, 'questioning' female and frequent consumer of pornography*

For Sarah, the risk of being pursued and prosecuted for committing a criminal offence is perceived as negligible, with the desire to view these materials far outweighing the potential risks. Sasha meanwhile discussed the risks of active prosecution being mediated by continuing to access materials she has an active interest in as "an act of protest":

> "Unless there's a means by which you were actually caught and convicted of watching whatever it was – for example, if they decided to criminalise BDSM, would I stop watching it if I thought I was going to be caught, or would I keep watching it as an act of protest to say that it should not be criminalised? I'd probably watch it […] I definitely would not trust regulation that it was right." – *Sasha, 23, pansexual female and frequent consumer of pornography*

Like Sarah and Sasha, Steve expressed that the decision to access proscribed materials would by mediated by the risks of active prosecution, stating that overall "it'd have limited impact, because I would anticipate limited active criminalisation. I think it more likely that it says somewhere that it's illegal and that might be quoted from time to time", explaining:

> "Initially it would definitely depend on the level of criminalisation, and after that I'm not sure it would have a massive impact – if there was an acceptable risk, then I don't think it would have a massive impact. It definitely would have an impact if prosecutions were to happen, and people were just dragged through court processes or people were being heavily fined or jailed, then that definitely has an impact – and that threshold would be pretty low if it were for viewing porn, because it's not something that I hold particularly dear." – *Steve, 25, queer male actively attempting to reduce pornography consumption*

For Steve, he anticipated that while there would be "limited active criminalisation" for those accessing proscribed materials, if levels of active prosecution were higher he would be dissuaded from accessing materials – however, not due to a fear of breaking the law, but instead due to his perspective that viewing pornography is not enough of a priority for him that he would risk prosecution and entering into the criminal justice system for. Lola expressed a similar perspective and – while she personally would be less likely to access materials she perceived to be proscribed – cited the perceived dearth in convictions discussed by many of the young people as a factor that may impact upon young people's decisions to access materials:

> "If it was publicly made aware that people were actually getting in trouble it would put a lot of people off [...] At the moment, there's nothing really in place to say you're going to get caught, it's only if someone examines the physical thing, the computer, and finds evidence on that that you can get done. But if you're just online, unless someone's making an active effort to monitor what you're doing, you're not going to get caught..." – *Lola, 19, heterosexual female and occasional consumer of pornography*

Lola's statement was echoed by a number of the young people, regarding exactly *how* – in the realm of instant online streaming of pornographic materials – that law enforcement

would know these materials were being accessed and by whom, and the extent to which law enforcement would pursue individual offenders / consumers.

The vast majority of the young people did not express having an ethical or moral problem with breaking the law with regards to pornography and the young people generally did not support the notion that legislation sets a moral or ethical precedent for what content should not be accessed. Indeed, many of these participants choose instead to apply their own ethical or moral frameworks as to whether they decided to access a material. This finding is also reflected in Chapter 4.2.3.1, wherein the young people who actively accessed materials depicting BDSM and violence-related activities employed their own judgement to ascertain whether consent to sexual activity had been given by those depicted in the materials – and similarly when negotiating sexual consent in materials and rape (as discussed in Chapter 4.2.3.5).

Only two young people – Andrew and Hayley – directly stated that they did not wish to break the law. Moreover, the research also found that few young people supported the notion that proscriptive legislation has the capacity to set a precedent for culturally acceptable and unacceptable forms of sexual behaviour and depictions and that they would avoid accessing these depictions for this reason. Only Charlie discussed this notion as a positive capacity of proscriptive legislation, stating:

> "Violent porn – I'd probably be less inclined [to access it] – I think there would finally be a kind of public consensus or acknowledgement that this was abusive behaviour."
> – *Charlie, 25, heterosexual male and frequent consumer of pornography*

For Charlie, proscriptive legislation would set a legal and cultural precedent for 'violent pornography' as unacceptable and "abusive" behaviour.

The research found that for many of the young people, however, this ability of proscriptive legislation to impact upon access also depended on the specific materials the legislation sought to proscribe. The impact of proscriptive legislation upon young people's access did, for many of the young people, depend on the *type* of material in question because many participants had little active desire to view materials they perceived to be currently criminalised, such as depictions of sexual activity with corpses and animals, as Juan stated:

"I'm 100% sure everything I view is not criminalised, so I wouldn't watch something that is criminalised currently because I believe it should be criminalised." – *Juan, 21, gay male and frequent consumer of pornography*

As Juan statement demonstrates, it is the *types* of materials that mediate the decisions to access proscribed materials, with Hayley likewise explaining that she would not access materials she perceived to be criminalised because she had "no interest" in those materials. Indeed, for some young people proscriptive legislation would have little impact upon decisions to access materials they had a pre-existing desire to view. For young people such as David, Sarah and Sasha, legislation against materials they had no desire to view would be irrelevant to them, yet (unlike Juan, as discussed in Section 5.2.2.1) proscriptive legislation would have little impact upon their decisions to view a material they had pre-existing sexual interest in and – in the case of David – may even heighten the likelihood of young people accessing the materials they knew or perceived to be proscribed:

"If it was something dead gross like all this stuff [cards under "Should be criminalised" on Spectrum IV]… no […] but if it was that kind of stuff [Fisting, sexual activity between men, etc.] that was illegal then I'd definitely still watch it […] because it sort of naughty, you know you shouldn't really be doing it, but it's just sort of cheeky […] I probably would actually, be more likely to go and look for it – I suppose it's the sort of idea that you'd want to know why it's illegal, it's just kind of dirty […] If it was stuff I was into that was criminalised then it would probably heighten the level that I'd want to watch it, now that I can't, like you don't value something you take it away, or you don't realise what you've got until you've lost it…" – *David, 18, gay male and frequent consumer of pornography*

For David, his desire to view proscribed materials he had a pre-existing interest in may even be heightened by proscriptive legislation, as Francis likewise stated "we all know that banning something is one of the best forms of publicity you can give something" and Jane reflecting that "if you prohibit it, they will go looking for it […] more probably for curiosity". Indeed, some young people discussed the curiosity generated by materials being proscribed as a motivating factor to seek out those materials, as Lola explains:

"Some people would see the word "illegal" and they'd run a mile, but some people would see the word "illegal" and they'd go 'Ooooh!' […] if you make it illegal, you know that if you get caught there's going to be a consequence, so it would put some people off that way, but other people would get a thrill out of skipping the law […] But, you never know until it's there in front of you, do you? You could say 'I'd never do that', but opportunity arises and you do the absolute opposite […] I would probably be tempted… it's not that you're breaking the law, it's to get the adrenaline that you're doing something naughty! – *Lola, 19, heterosexual female and occasional consumer of pornography*

In terms of curiosity, Seph also expressed that perceived criminalisation of materials may increase the likelihood of her actively seeking out materials she perceived it to be a criminal offence to view or possess:

"Probably more, just like "why is this illegal?"! […] If they were things I found disgusting, then probably not, but if it was something completely random that was made illegal, I'd be like "why?" and want to watch it to see what the hell it was…" – *Seph, 22, bisexual female and frequent consumer of pornography*

Again, it was both the *type* of material proscribed and curiosity that would mediate Seph's decisions to access the materials. This finding on the impact of curiosity as a mediating factor as to whether young people access proscribed materials is reflected too in the findings pertaining to young people's encounters with depictions of violence-related materials – such as sexual activity with animals – that are also in-part mediated by curiosity (as discussed in Chapter 4.2.3.4).

The findings discussed throughout this Section raise interesting questions for the role of legal regulation as a boundary-setting device. Specifically, given that proscriptive legislation would have little to no impact upon many of the young people's decisions to access certain materials, this raises an important consideration about the usefulness of the 'extreme' pornography legislation as a boundary-setting device. These matters are compounded by the findings discussed in Chapter 4.3.1 regarding violence-related images, wherein young people generally applied their own ethical frameworks to ascertain consent and to decide whether

to view the materials. In these instances, too, the young people did not look to nor did they seek out legislation to inform or set the boundaries of their pornography consumption practices.

Moreover, as discussed in Section 5.1 of this Chapter, almost all of the young people were not aware of the current 'extreme' pornography legislation. In terms of reform debates, this raises an interesting issue as to the role and import of legal reform when it appears consumers are generally not aware of the 'extreme' pornography provisions as they currently stand. Therefore, while legal scholars debate the specifics of the provisions, the role of legal reform may be diminished when consumers themselves are not aware of nor are they utilising legislation to set boundaries and provide ethical precedents for their consumption practices. While, as highlighted throughout the thesis, the exploratory nature of this research does not lend itself to providing solid recommendations for legal reform or policy formation, the findings pertaining to the capacities of legislation to set ethical precedents provide invaluable insights into areas requiring further research and consideration, particularly for debates concerning legislative reform.

5.4 Young People's Perspectives on the 'Real' Image Stipulations in the *CJIA 2008*

In response to the current discrepancies in the *CJIA 2008* and (most likely) the *CJL(S)A 2010*, which stipulated that in order for an image to regarded as 'extreme' it must depict 'real' people (*CJIA 2008*) or depicts the acts in 'an explicit and realistic way' (*CJL(S)A 2010*) (as discussed in Chapter 1.3.2.4.1), this Section presents the findings pertaining to young people's perspectives on animated, cartoon and computer-generated (CG) materials. In the interview context, the young people were invited to discuss their views on animated, cartoon and computer-generated materials in comparison to materials depicting 'real' people, with a focus on how these differing contexts compare when the materials depict acts that young people generally thought should be criminalised, such as rape and sexual violence. In terms of access to these materials, Graph 3 in Chapter 4.2.2 demonstrates that over 75% of participants had viewed Hentai, other cartoon or computer-generated materials, with over a quarter of participants viewing these materials often or fairly regularly.

The data from this Interview Question was collated with the young people's contributions on cartoon and CG materials across Interviews I and II. In order to attain an overview, participant views were ranked according to the extent that they thought cartoons or CG depicting comparable acts should be regarded similarly to depictions of 'real' people, as outlined in Table 36 below.

Table 36: Young People's Perspectives on Cartoon and CG Materials compared to Materials depicting 'Real' People				
Percentage of Participants				
Absolutely worse	Slightly worse	Neither worse nor better	Slightly Better	Absolutely better
0	11%	56%	22%	11%

As indicated by Table 36, over half of all young people thought that cartoon or CG materials as neither better nor worse than materials depicting 'real' people, while over twenty per cent of young people thought cartoon or CG materials were slightly better than their 'real' counterparts.[35] Meanwhile, a few young people perceived cartoon or CG materials as being slightly worse than 'real' depictions, while an equal amount of the young people believed cartoon or CG materials to be categorically better than 'real' depictions.

While the young people's perspectives on animated and CG materials were varied, however one sentiment united the majority – that the messages inherent in any pornographic material, whether they manifest through the medium of 'real' people or not, have the potential to be problematic and should be subject to similar degrees of legal regulation as comparable materials depicting 'real' people. Indeed, for many young people, animated and CG materials

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[35] The terms 'better' and 'worse' are used here to provide an overview of how young people perceive animated and CG materials – in terms of content, impact and legal regulation – in comparison with materials depicting 'real' people. The factors informing these terms and perspectives will be detailed throughout this Section. As this thesis is the first to conduct research with young people on their perspectives on animated and CG materials in regulatory contexts, there is certainly scope to hone and develop this terminology through further research in this area.

were regarded as simply a *medium* as opposed to a distinct category of content. These findings demonstrate that for many young people, it is the *content* and resulting *messages* of the materials

In terms of depictions participants thought should be criminalised – such as rape and necrophilia – the majority of young people thought both cartoon or CG and 'real' materials should be treated with equal legislative rigour. These participants regarded cartoon and CG materials simply as a medium through which these acts are depicted, as Charlie explains in the context of regulation:

> "Yeah, it's just a medium, but it's talking about any of the criminalised, regulated categories I've already described, then yeah, I think it should be regulated up to a certain age-limit…" – *Charlie, 25, heterosexual male and frequent consumer of pornography*

For Charlie, like a number of other participants, he saw little distinction between depictions of sexual violence in cartoon and CG materials and in materials depicting 'real' people, and so believed these materials should be regulated in the same way as depictions of 'real' materials are (which, for Charlie, involved restricting access to adults only). Neil, meanwhile, stated:

> "I think they're both as serious as each other, thinking about it… so maybe the law should say something like 'Anything depicting rape – for example – is criminal', then that would even cover cartoons, so people couldn't get around it saying 'It was computer-generated'…" – *Neil, 22, gay male and frequent consumer of pornography*

Using the example of depictions of rape, Neil's statement indicates his belief that cartoon and CG depictions ought to be written into the 'extreme' pornography legislation, while both Andrew and Violet thought it was currently an offence to possess criminalised materials presented in a cartoon or CG format: "If it's a cartoon of certain things that are criminalised, with violent or underage imagery, it does apply to cartoons" (Andrew). Likewise, Tom stated:

> "I think that should be held to the same standard actually, because although people realise it's not real, it could still plant an idea in their mind… so I don't think that just because you're drawing a cartoon and you're not using real actors and actresses that

you should be able to produce any material and not abide by the law effectively…" – *Tom, 20, heterosexual male and frequent consumer of pornography*

Seph echoed Tom and Neil's statements, arguing that the messages inherent in materials depicting rape were the same, regardless of the mediums through which they are depicted:

"I'd say they should be penalised in the same thing, although obviously with cartoons it's not real, I think with the image that it's giving, it's kind of the same kind of message or image, so I'd judge it the same…" – *Seph, 22, bisexual female and frequent consumer of pornography*

Like Seph, a number of the young people reasoned that it was the messages inherent in depictions of acts such as rape and necrophilia that were in need of regulation, as opposed to the mediums through which these messages are expressed, as Hayley explains:

"I don't think there is any difference in terms of the message given. It is just a different way of portraying things… I am aware that rape is a fantasy for some people (male and female if you believe what magazines, websites and friends say). I think the similarities are the same in the messages that are being given about women." – *Hayley, 23, heterosexual female and infrequent consumer of pornography*

For Hayley, the messages inherent within some pornography – regardless of the medium through which these messages are portrayed – have the potential to be negative and harmful towards women. In terms of these messages communicated by pornographic depictions, Steve stated "I think primarily and cumulatively it's about messages" and saw little distinction between how these messages manifest, whether via depictions of 'real' people or cartoon and CG materials. Jane likewise stated that: "I think the problem is in the act itself… Just say it's between 1 and 50, and 50 was a human being, then maybe Hentai would be 46". Charlie echoed these assertions, reasoning:

"I think some of it's quite accurate and realistic, and if you're going to say 'Hentai/cartoons is fine, we'll put it anywhere', then, well, it can be just as graphic and abusive as any of these any of these porn types […] it's just a medium for presenting

it, it's not a type, it doesn't infer a particular act…" – *Charlie, 25, heterosexual male and frequent consumer of pornography*

Here, cartoon and CG materials are described as a medium through which to depict sexual acts, which leads Charlie to argue that it is not necessarily a standalone type or category of pornography. Indeed, by shifting the ontological framework by which sexually explicit materials are interpreted and analysed – in this case, cartoon and CG materials – it emerges that it is possibly not the mediums through which the depictions manifest that present an ethical dilemma (as in the case of depictions of sexual violence), but the acts themselves and the existence – and potential impacts – of these depictions. This presents a serious challenge to the 'real' people and animals cause in the *CJIA 2008* (and comparable inference in the *CJL(S)A 2010*) because if, in Steve's words, the problems with pornography are "primarily and cumulatively about messages", the divide between what is 'not real' or fantasy and what is 'real' may be significantly more narrow than the legislation infers.

The research found a theme of unrealistic portrayals in the data, typically manifesting in three main ways: firstly, the unrealistic portrayal of people – usually female characters – in terms of both body type and sexual capacities; secondly, the unrealistic portrayals of rape and sexual violence that may have normalising impacts, and; thirdly, the unrealistic fantastical portrayals within some cartoon and CG materials, wherein monsters and animals are involved in sexual activity with people – again, usually female characters.

In terms of these unrealistic portrayals around sexual capacities, a small number of the young people believed this medium to have the potential to be *more* harmful than materials depicting 'real' people, particularly in the context of depicting violence. For these participants, cartoon and CG materials have the potential to trivialise violence, as Sam explains:

"I think it's just as bad, probably worse, because it trivialises the injury and makes it seem less bad for that sort of stuff to be happening, because you're like 'Oh it's fine, they're not real people', but the intentions are there – the implication I think is really bad." – *Sam, 23, pansexual and past exposure to pornography*

Like Sam, Juan also discussed the issues around depicting sexual violence in a cartoon or CG format, stating that these formats make it more difficult to effectively portray a narrative of a 'rape fantasy' as opposed to an incident of sexual violence:

"It's quite bizarre because rape fantasy, in my opinion, is okay – a cartoon is already a fantasy, so how could a cartoon contain a fantasy within a fantasy? If a cartoon showed rape, how would they be able to portray it as rape fantasy, and not cartoon rape? If a cartoon was able to portray rape as a rape fantasy in the cartoon, that's okay because I'd class it as the same, but if there was a story and a cartoon character was raped – like, actually raped, it wasn't a fantasy and was just part of the story – no, that's not right… It's a difficult one – I don't think [cartoons] are anywhere near as harsh, but there's *something…* but it is just playing up to fantasy, it's not reality […] I think there is *a* separation [between fantasy and reality], but it depends how big it is for different things… It depends really, because who's being harmed in that? But I do think it can harm – I think it has to be moderated and we have to be careful that we're not normalising certain things…" – *Juan, 21, gay male and frequent consumer of pornography*

Juan's statement reflects the difficulties in distinguishing between 'fantasy' and 'reality' in a context that it already considered to be fantastical by many, resulting in the idea of a meta-fantasy – a rape fantasy within a fantasy. For Juan, the depiction of rape in the context of cartoons and CG materials has the capacity to normalise and trivialise sexual violence. While Lola agreed that depictions of sexual violence in cartoon and CG materials should be regarded as on a par with depictions of 'real' people, she indicated that viewers are better able to circumvent personal notions of shock and possibly guilt around viewing depictions of rape as cartoon and CG materials are 'obviously fake':

"I think it's more shocking to see a real person on the screen, I think Hentai's designed to be obviously fake […] The rape in Hentai is just unreal… it always starts with the girl going 'No, no!', and then halfway through she starts cumming all over the place […] I don't think it's more acceptable for anything like that to be shown, but for the person actually watching it, it doesn't shock them as much, because they think 'Oh, that's

fake, it's not real, it's not actually happening, but I'm still enjoying it'…" – *Lola, 19, heterosexual female and occasional consumer of pornography*

As Lola's statement indicates, cartoon and CG depictions of rape – for example – enable viewers to further distance themselves from the act that is taking place, more so even than the distancing that occurs when viewing depictions of 'real' people (see Section 5.2 on 'distancing') – a view echoed by Charlie: "[Cartoon materials are] distanced from reality I suppose, because there's no physical involvement of a human character". This distancing, argued Lola, was further reflected in the levels of violence within pornography viewed by her male peers:

> "I think if they like violent stuff […] they'll seek out extremely violent stuff in Hentai. I think normally you can find out how extreme it could go by seeing what they watch in Hentai before seeing what they watch in a real people situation. Certainly, from experience, I've known guys that will watch really violent stuff in Hentai, but will watch semi-violent stuff in real people – they have different barriers as to what they can endure basically…" – *Lola, 19, heterosexual female and occasional consumer of pornography*

Lola's statement further suggests that cartoon and CG materials enable a second stage of distancing from the content of materials, as firstly the consumer is not directly harming a person (as in the case of viewing 'real' depictions) and secondly the consumer is not viewing party of any harm, as 'real' people are absent from cartoon and CG depictions.

Also in terms of distancing from the acts depicted, Sarah expressed that cartoon and CG depictions, especially in the context of violence, did not accurately depict the physical capacities and limitations of the human body, alongside an absence of representation of the consequences of violence:

> "It's slightly weird, but I think I'd prefer that to be portrayed with real people, rather than in cartoon, because I feel like that kind of thing can be dangerous if it does cause injury and pain, and I think you need to have a realistic representation of that. I think also that people who watched that porn and found it sexually arousing they want the realistic aspects of it… I'm not sure I'd be comfortable with seeing somebody whipping

someone else and that person just being like 'Oh, it's wonderful – it's really amazing!'…
I think you need some realism – you need to see that there are consequences to
actions, and that pain can be pleasurable but it is pain and it still hurts people. I think
also you need to show that there are realistic limits to what you can do safely, because
I think it would be really easy to show someone getting beaten up for an hour in some
cartoon porn and then just walking away from it and being completely fine, whereas
that's not really… – it's the same as the Fifty Shades of Grey thing – I think we just
need realistic representations in porn of what is safe and what is healthy to do…" –
Sarah, 20, 'questioning' female and frequent consumer of pornography

The criticisms of cartoon and CG materials meted out by Sarah could arguably apply to many
pornographic mediums, including those depicting 'real' people wherein the consequences of
violent sexual behaviour may not be featured within the material itself or be visible to a
viewer (such as internal injuries experienced by those depicted). Despite this, Sarah's
statement reflects the notion that the only limitation upon depictions in cartoons and CG
materials is the imagination of the producer.

Indeed, 'there are no limits to the possibilities, and this is why hentai sex' argue Dahlquist and
Vigilant (2004: 95) 'is more real – and better than real': 'Hentai is a commercially viable
masturbation aid because it is *more virtual*, expressive of possibilities, and ultimately *more
ambiguous* than photos and videos' (*Ibid*). As Jo discusses, cartoon and CG materials may
serve to represent that which is unrepresentable using the corporeal body:

If it's literally a cartoon reflection of what porn is, then that's harmful […] Potentially
we've gotten past the point where there's anything left that we can do with a normal,
existing human – you even get porn of seven penises in one woman – we've got past
the point where you can physically go in with an eighth! […] I do think to some extent
that you can progress through porn, partly because it's easy to come across…" – *Jo,
23, heterosexual female and occasional pornography consumer*

Jo's contributions suggest that there is a momentum towards more extreme materials, and
where the depictions of 'real' people cannot go any further due to the physical limitations of
the human body, this is where cartoon and CG materials are able to represent the corporeally

unrepresentable. Lola too expressed this sentiment, stating: "Hentai goes a hell of a lot more extreme than what real people could ever do". Francis echoes this view, stating:

> "There's a distinction in that even someone who is not really bothered about the implication of it – they just use it to masturbate to – they can immediately see a distinction in that it's event more fantastical than usually very elaborately set-up Gonzo porn… But, I suppose, with a cartoon there's a possibility that you can do worse things with it because there's no one – it's not a person, it's a drawing – and in that case it's probably just as bad [as 'real' depictions]…" – *Francis, 25, heterosexual male and past pornography consumer*

For Francis, there is a capacity for cartoon and CG depictions to depict 'worse things' than materials depicting 'real' people. Andrew, meanwhile, regarded this momentum towards extreme depictions in cartoon and CG materials as being due to it being more legally and culturally permissible than equivalent depictions of 'real' people:

> "With a lot of the cartoon stuff – because they can get away with it in cartoons because it's obviously not a real depiction – can often be sickeningly violent sometimes […] They quite often seem to go for really, really violent imagery in some of these things, or cannibalism but still in an sexual context and that sort of thing. Obviously things go more extreme because it is cartoon imagery and no one's actually being injured or anything, so I guess they can go more extreme…" – *Andrew, 23, bisexual male and frequent consumer of 'real sex' videos*

For Andrew, there is wider scope for cartoon and CG depictions, as there are no limits imposed by neither legislation nor corporeal capacities for sexual activity and violence.

In terms of unrealistic portrayals around bodies – especially women's bodies – a number of participants believed cartoon and CG materials (especially Hentai) to be problematic in ways differing from mainstream pornographic portrayals of 'real' people, as Sarah explained:

> "I think to a certain extent it does feed in to unrealistic expectations, like all the girls – they're all apparently school girls, yet they have giant breasts – how does that work? I think it feeds into negative ideals – especially a large part of it does lead into the

fetishisation of Asian girls and Asian women, because you see them in Hentai and they'll all slim and pretty and school-girly and giggly, and I think there's an expectation that that leads into real life, and there's then an expectation that real Asian women who perform in porn will be like that…" – *Sarah, 20, 'questioning' female and frequent consumer of pornography*

Sarah's statement points to both the infantilisation of the females portrayed in Hentai materials and the exoticisation of Asian women, which Sarah argued can serve to produce and perpetuate unrealistic expectations towards the sexual behaviour of Asian women and towards women's bodies more generally. Lola echoed Sarah's statement, explaining:

"Well, Anime characters are always pretty childlike, with the big eyes and the small mouth, except normally for most women in Anime that's accompanied by giant boobs and a bum…" – *Lola, 19, heterosexual female and occasional consumer of pornography*

As Dahlquist and Vigilant (2004: 91) explain, Hentai materials often depict "less than subtle suggestions of childhood youth", alongside "a good dose of patriarchal values, and a glorification of nubile girls as erotic objects for men and heroines for girls and women" (*Ibid*: 95):

"School uniforms, torn or in disarray sometimes figure prominently. Coupled with the sartorial demonstrations of innocence are faces that signify youth, helplessness, and inexperience […] amplified by the absence of any hair under the arms or around genitalia." (*Ibid*: 97)

Many of the young people corroborated this assertion, with Sarah stating that "Hentai quite often portrays young girls, school girls". Moreover, 'incest themes are, after all, a staple of pornography' (Boyle 2011: 594) – also stated by many of the young people to be staples of cartoon pornographic materials, too. Jane also criticised the depictions of women in the Anime-derived Hentai materials, arguing that these portrayals impact upon women's body image:

"You know, for instance, there is a trend in Japan and Korea where they do lots of surgeries to make their eyes bigger and put contact lenses to make them look like a

doll – I think it comes from Anime [...] because in Anime they have big eyes, a small nose, and really big boobs, so I think it also kind of damages because many people just love those cartoons, and maybe the Hentai can lead to the same and be misleading..."
– *Jane, 25, heterosexual female and frequent pornography consumer*

Here, Jane attributes cultural trends surrounding appearance to Anime conventions – and, as discussed previously, Hentai consumed in the West is derivative of the Anime genre and conventions. Like these participants, Dahlquist and Vigilant (2004: 92) characterise the women in Hentai as being 'outrageously erotic girl-women are drawn with huge, shimmering eyes, ropy hair in colours that do not occur in nature, lipless mouths that form into perfect geometric shapes, and sideways letter vees to represent noses'. For these young people, the portrayals of women as infantilised and exoticised sex objects present additional harms than pornographic portrayals of 'real' people. In addition to this, the research also found that a number of young people, including Charlie, expressed concern that Hentai and other animated materials had the capacity to introduce young people to pornography – especially through Manga cartoons and materials involving familiar television characters from *Family Guy* and *The Simpsons* – and that these materials "probably provide a bridge for [young people] into more explicit imagery" (Charlie).

However, a minority of the young people believed cartoon and CG depictions to be less harmful and less worthy of legislation than materials depicting 'real' people. For these participants, they viewed cartoon and CG materials as a medium through which to view sexually explicit materials without the risk of directly harming people depicted in materials, as Willow explains:

"I just think it's ethically more straightforward, because it doesn't involve a person – it involves depicting people in certain situations which have moral connotations – but I think you do take out a lot of opportunity to exploit people, and I think that's a big part of the appeal of that porn for me, I feel much more comfortable with it because instead of watching something with real people and not knowing what their economic situation is, if they're doing it consensually and out of the enjoyment, or if they needed the money or if they're being forced into it – you just don't know that stuff – but at least with a cartoon you know someone made that and they might be perpetuating

some crap stuff, like sexism, through what they're showing, at least you know that someone in the making of it hasn't actually been harmed, so that's the appeal to me."
– *Willow, 25, queer female and occasional consumer of pornography*

Characterising cartoon and CG materials as being "more ethically straightforward", Willow stated she felt more comfortable viewing these materials as there is much less likelihood that anyone was harmed in the production as compared to materials depicting 'real' people. Echoing Willow, Violet stated that people ought to be able to access cartoon and CG materials "because there's no consent issues in there". Furthermore, Willow stated that cartoon and CG materials offer an outlet for sexual desires and fantasies to be explored, especially in the context of sexual behaviours which may usually result in direct harm:

> "I think it offers scope for exploring some of the more problematic fantasy areas that maybe a lot of people feel uncomfortable with – maybe there is a section of society and there needs to be an outlet of expression for that, and I'd be okay with that being explored, I think it'd be useful if people needed that. Maybe people are programmed to be sexually attracted to people that are way too young for them, and while they should never be allowed to express that completely because it would infringe on someone else's personal liberty, perhaps a way to deal with them is to let them have those cartoons, and they can indulge in it that way and they're not harming anyone…"
> – Willow*, 25, queer female and occasional consumer of pornography*

Willow's statement speaks to the notions around the preventative capacities of pornography, wherein the availability of materials depicting criminal activity may have a preventative impact upon people committing comparable crimes in real life – for example, rape. Furthermore, Willow's statement indicates that cartoon and CG materials provide an additional layer of prevention, by allowing people modes through which to explore their fantasies both outwith enacting this upon a person and outwith viewing a material where a 'real' person may have been harmed. Charlie expressed a similar viewpoint, arguing that cartoon and CG materials may fall within the remit of fiction, and therefore function as outlets for people to explore sexual desires and fantasies:

"I think Hentai and Manga and stuff has quite severe violent connotations, and there's a lot of blood splattering around and stuff, and no-one's actually being harmed during the making of any of those cartoons, and it's just the creative mind at work really – it's more art than porn […] You might say that fiction helps to address and confront our extremely violent nature or hidden desires or whatever – we're able to play out and release those kind of tensions through fiction, for example Manga and Hentai and fictional films." – *Charlie, 25, heterosexual male and frequent consumer of pornography*

While Charlie expressed that cartoon and CG depictions of 'extreme' acts as constituted by the *CJL(S)A 2010* ought to be regulated, his above statement brings forth the question of utilising fictional cartoon and CG materials as exploratory mediums, echoing the use of fictions within art, television and film, and even in portrayals of 'real' people in pornography as exploratory formats.

While Willow and Charlie argued that cartoon and CG materials may serve to allow people to explore fantasies involving criminal activity (such as severe violence and rape) in a fictional context, both Sarah and Violet discussed the ability of cartoon and CG materials to represent a fantasy that 'real' people cannot realistically – or indeed physically – depict. Indeed, within Hentai is the hugely popular genre of "altered pictures", referring to "figures from other planets, dimensions, or planes of existence have the requisite phalluses, breasts, and orifices that signal sex, and are made more intriguing by their otherwise extra-human forms […] Office girl, school girl, or girl-in-shower are all likely, as is oral sex administered by a hentai girl on giant demon penis" (Dahlquist and Vigilant, 2004: 96). As Jo observed, "you do see advertised the really extreme, big 'monster' porn, with a little woman dressed in a skimpy warrior outfit and he's a huge monster with a 7-foot penis". Sarah expressed that the ability of animated materials to portray fantasy outwith the capacities of the human body was a positive attribute of these materials, stating:

"I think that Hentai, cartoon, and computer-animated porn is a great opportunity for people to explore fantasies that they have – things that you can't recreate realistically with two actors…" – *Sarah, 20, 'questioning' female and frequent consumer of pornography*

Violet echoes Sarah's view, giving the example of cartoon and CG being a medium through which people can explore sexual desires for fantastical characters:

> "I suppose that's the positive and negative of cartoons – it can allow you to explore things that you couldn't normally explore, like, I mean… centaurs – if some random person they wanted to see centaurs having sex, you could only do that through cartoons or computers, so there's a positive that you can explore things that couldn't actually happen, but in the exact same way it's negative in that you can explore things that could actually happen, such as just nasty, nasty violence…" – *Violet, 22, heterosexual female and frequent consumer of pornography*

For both Violet and Sarah, cartoon and CG materials may function as an outlet to explore sexual fantasies that cannot be depicted by the use of 'real' people, such as fantastical creatures. It is, however, debatable whether the average pornography consumer would have pre-existing desires to view fantastical creatures engaged in sexual activity.

In terms of the potential preventative capacities of cartoon and CG materials as discussed previously by Willow, Lola discussed the consumption of Hentai in the context of infantilised portrayals, questioning whether such depictions have the ability to prevent or indeed to proliferate both access to either infantilised depictions involving 'real' people or child sexual abuse materials or committing crimes directly against a person:

> "[That's] really difficult, because again it's not an actual underage person that's in that porn – it's kind of like watching the act being carried out, but you're thinking 'There's no harm coming from it, so I can watch as much as I like', but if you start watching that for ages and ages, do you want to look at Hentai or do you want to look for pictures of real people doing it?" – *Lola, 19, heterosexual female and occasional consumer of pornography*

Violet called this notion into question, arguing that there is no causal relationship between viewing certain materials and committing certain crimes:

> "…it's slightly concerning if people are aroused by horrific cartoon violence, but like I say, porn doesn't necessarily make people go out and rape people and kill people and

in and of itself, there's always something wrong there that was going to come out no matter what […] Like I say, if the whole attitude to porn changed, where people are more responsible for what they view and how they interpret it, and knowing it's fake and it's got nothing to do with actual sex…" – *Violet, 22, heterosexual female and frequent consumer of pornography*

Violet's statement indicates that regardless of the availability of pornographic materials in various mediums, some people will still commit sexual crimes. Furthermore, Violet argued that an attitudinal change towards pornography is required to provide people with a critical framework from which to analyse and interpret the materials they view. Sam echoed Violet's viewpoint, stating that "if you have such an extreme preference in your pornography tastes, then – this is a massive assumption but – you probably think that material that's not 'real' people isn't good enough, doesn't do it…". Both Sam and Violet's statements indicate an attitude of inevitability – that those who commit sexual crimes are predisposed to do so, with or without the influence of pornography. In addition, Sam's statement indicates that although they agree cartoon and CG materials ought to be regulated similarly to materials depicting 'real' people, they also believe that for some people cartoon and CG materials are not 'good' or explicit enough to satiate their desires. These findings relating to scepticism towards the capacities of pornographic depictions to incite or prevent sexual violence are discussed further pertaining to pornographic depictions more generally in Section 5.5.

5.5 Perspectives on the Capacity for Pornography to 'Deprave', 'Corrupt' and Harm

This final Section discusses the findings pertaining to young people's perspectives on the capacities for pornography to 'deprave', 'corrupt' and harm. As the young people mostly did not respond to – or, in some cases, understand – the *OPA* terminology of 'deprave' and 'corrupt', the mainstay of the data and resulting findings pertain to young people's perspectives on the capacities of pornography to cause harm. Eliciting dialogues with young people in this area opened somewhat of a Pandora's Box brimming with young people's perspectives on the potential harms of pornography on intra- and inter-personal levels. This Chapter therefore closes with an overview of the findings pertaining to young people's

perspectives on the capacities of pornography to cause harm – with specific focus on harms experienced by young consumers of pornography and harms to wider culture.

As discussed in Chapter 1.3.1, the *Obscene Publications Acts* set out a 'test of obscenity' stipulating that "an article shall be deemed to be obscene if its effect or […] the effect of any one of its items is, if taken as a whole, such as to tend to deprave and corrupt persons who are likely, having regard to all relevant circumstances, to read, see or hear the matter contained or embodied in it'. The terminology of depravity and corruption was presented to the young people as that which features in UK legislation, and they were invited to reflect on both the terminology used and their perspectives on the capacities for pornography to cause harm (see Interview Question 11 in Appendix 10). The research found that young people generally rejected the *OPA* terminology of 'deprave' and 'corrupt', deeming the terms either anachronistic or bewildering – or, indeed, both. While a quarter of the young people discussed the terms, some of the young people required explanation from the researcher as to the definitions of one or both of the terms. Of those participants who did discuss the terms they all did so unfavourably, deeming 'deprave' and 'corrupt' inaccurate, "old-fashioned" and terms that are seemingly affiliated with religion – a concept young people found difficult to reconcile with the increasing secularism of UK culture and legislation. These findings demonstrated than young people generally agreed with the criticisms waged towards the *OPA*, as outlined in Chapter 1.3.1.1.

Using their own perspectives on and experiences of harm to frame their responses, the young people generally conceived harm as being harm to individual viewers, harm to those depicted in materials, and harm on interpersonal and societal levels. The research found that the young people had generally not experienced the causal model of harm (as discussed in Chapter 1.2.1), either personally or through the experiences of peers. Moreover, participants generally rejected the notion that there was a direct causal link between viewing certain types of pornography and perpetrating that type of violence upon another person. The majority of participants framed the harms of pornography as more subtle and less linear than the direct causal model suggests, as will be discussed further in this Section. While just under a quarter of participants stated very strongly that there is no direct causal relationship between viewing pornography and committing related criminal offences, almost all participants agreed that viewing pornography had the capacity to harm on various levels and in various ways.

Of the young people who strongly disagreed with the notion of a direct causal relationship, most suggested that those who view pornography and commit related offences were pre-disposed to be excessively and unusually influenced by the materials they view, as Sarah explained:

> "I don't think anyone is going to look at, say, some violent porn and then act that out in real life, unless they have an underlying propensity towards it… I think there has to be some underlying reason why you do that and perhaps seeing the porn […] brought it out, but if you're a 'normal' person you don't watch rape fantasy porn and then go out and rape someone…" – *Sarah, 20, 'questioning' female and frequent consumer of pornography*

Sarah's above statement suggests a clear pre-disposed demarcation between those who are unduly influenced by viewing pornographic materials and those who are not, a view shared by both Sasha and Violet:

> "[By] nature, people actively go and seek out pornography and if somebody is actively seeking out pornography that involves potential violence then that harmed-ness is already within them – if they have it in their mind that they would like to watch something like that, it's already there – watching it I don't think is going to make any difference to what they've already got on their mind." – *Sasha, 23, pansexual female and frequent consumer of pornography*

> "[It] doesn't make people want to go off and re-enact it, there's something else going on there for people like that, people like that are going to be susceptible to… like people who say 'porn made me do it', they were always going to be susceptible to something getting in there and messing with their head and resulting in something, it's just that porn is a handy excuse…" –*Violet, 22, heterosexual female and frequent consumer of pornography*

What is clear from these statements is a process of 'othering', wherein the participants are placing those experiencing direct behavioural effects from viewing pornography as entirely different entities from an average – or indeed 'normal' (in Sarah's words) – viewer of pornography. This process of 'othering' 'allows individuals to construct sameness and

difference and to affirm their own identity' (Abu-Lughod 1991: 87), and is particularly pertinent in the accounts of Sarah and Sasha, who also discussed the ability of pornography to normalise sexual behaviours and attitudes that then cause harm on cultural levels, as is discussed further in this Section. Furthermore, Sasha expressed that a potential harm of pornography is via progression, wherein mainstream materials act as gateways to more violent or 'extreme' materials, which suggests that there is in fact less of a clear division between those predisposed to directly commit acts related to the pornographic materials viewed and those who do not than Sasha and Sarah state in this context of direct causal relationships.

While the research found that many young people articulated the direct causal relationship as only applicable to those with pre-existing propensities for sexual violence, Andrew framed it in terms of whether or not an individual possesses the 'intelligence' to differentiate the materials they view – or the 'fantasy' – from 'real' life. Characterising individuals directly influenced by the pornographic materials they view as 'impressionable', Andrew explained that he understands there to be a pre-disposition in individuals who view materials and commit related crimes and stated that without proof of a causal link he is hesitant to agree with the stipulations of the *OPA*:

> "I can easily distinguish something that I might watch from something that I might actually want to do [...] [The] only thing is that I'm aware that I'm relatively intelligent and other people are more impressionable, so it depends [...] I know from people who know more what they're talking about that the link is at best tenuous, because people who have psychology to do that kind of thing have it anyway, so that would tend to be my opinion [...] unless experts had a general consensus that 'Yes this does deprave or corrupt people and cause them to commit these things' then I would change my opinion [...] But as long as my understanding is that there is not a clear proven link then I don't entirely agree with that and I'm somewhat inclined to think it's down to moralising politicians who would rather we all went back to not talking about sex..." – *Andrew, 23, bisexual male and frequent consumer of 'real sex' videos*

For Andrew, the absence of evidence suggesting a direct causal link is the main reason for why he rejects this notion, compounded by a suspicion of "moralising politicians" who

legislate based upon moral values as opposed to evidence-based rationale. Violet's statement reflects Andrew's sentiment around a cultural quietness around sex and sexuality, arguing that the lack of a socio-cultural dialogue on sex fosters an environment where direct causal dynamics can flourish:

"[This] is never in and of itself, there's got to be other factors involved, which is why you can get two kids, and one of them will view porn and say 'Yeah, I enjoyed it but I know it's not real', then you've got another kid who thinks that women like to be tied up and raped… it's about how you're raised, this is where schools and parents need to be more responsible, there needs to be an overall more positive view of sex, it needs to be less taboo – and when I say 'less taboo', I don't mean in a *Fifty Shades of Grey* 'ooh' everywhere – but I mean more healthy and accepted… I think that's the real problem… people can technically be corrupted, but it's not because of the porn itself, it's because of the way they've almost been shaped by everything else, it's a societal thing really, it's not the porn […] It's your relationship with something that leads to problems, it's never the thing in and of itself, so some stupid idiots not being able to use something or view something properly in a mature, healthy, realistic way shouldn't stop everyone else having access to it – it's the unfortunate thing, y'know, there's going to be idiots with everything, but it doesn't mean that everything has to be completely and utterly stopped for everybody else…" – *Violet, 22, heterosexual female and frequent consumer of pornography*

For Violet, among other young people, it is the lack of socio-cultural dialogue around sex and sexuality that enables individuals to interpret pornography in a manner which may lead to them committing related sexual offences, with a strong emphasis on the notion that the misdeeds of few should not legislatively interfere with the pleasures of many – a sentiment that reoccurred frequently throughout the empirical research data.

McGlynn and Rackley (2009) discuss how harm – in the context of viewing pornography – manifests in two main ways: firstly – as discussed above – direct causal harm wherein an individual is influenced by pornographic content and thus acts upon this influence (as discussed in Chapter 1.2.1), and; secondly, the notion of 'cultural harm' (*Ibid*), wherein the messages inherent in much pornographic material contributes to and negatively influences

social and cultural narratives about sex, gender, power, and race, among many other factors. The latter factor – that of potential 'cultural harms' of pornography – emerged in the data as concept supported by the young people's perspectives on pornography. The research found that a number of young people expressed that pornography both negatively influenced cultural norms and was a result of societal structures, and also contributed to the normalisation of sexual violence and sexual expectations among young people. As Jo stated: "All those subtle messages in porn – that aren't really that subtle, if you think about it – are harmful to society".

A harm of viewing pornographic materials discussed by participants was the potential of materials to normalised violence – particularly sexually violent activity. Within this, two major manifestations of this emerged in the data: firstly, the capacity of viewing violent pornographic materials to normalise violence on a cultural level – as in, altering or influencing what are culturally agreed levels and types of acceptable and unacceptable violence, and; secondly, the capacity of viewing violent pornographic depictions to normalise violence for children and young people viewing the materials, who perhaps lack the critical framework and lived experiences with which to analyse and interpret the messages inherent in violent and violence-related pornographic depictions.

Indeed, the research found that while just under a quarter of participants strongly expressed disagreement with a direct causal link between viewing materials and committing related crimes, a quarter of participants stated strongly that there was a direct causal link between pornography and harm. These participants, however, generally did not view the potential harms in pornography as being incitement to commit criminal acts but as directly harming the viewers' mental wellbeing, self-image and relationships – with the exceptions of David, who stated he believed viewing certain types of pornography could cause people to "get really extreme and maybe rape someone", and Neil who believed 'extreme' pornography and BDSM materials definitely had the capacity to 'deprave', 'corrupt' *and* harm those viewing the materials.

Describing himself as a "minority voice" even amongst his "more like-minded friends", Francis explained how, in his view, pornography causes harm in the form of depicting power dynamics that viewers feel compelled to replicate:

"I one-hundred per cent think it does cause harm. I think probably the best example I can give of this is – the mediocre film *Borat*, the fake documentary – there's the sequence where he gets into the RV with these frat boys, with the shtick that he's trying to find Pamela Anderson to marry her, but obviously these guys aren't in on the joke [..] so they put on this porn film with Pamela Anderson and they're like 'Look, she's a fucking whore, don't be crying over her, all women are fucking scum', and these are people who don't know they're being filmed for the masses, they think they're just talking to another guy. It's that whole labelling of people as whores or pieces of meat, and it just exemplifies that, and makes it seem alright and makes it seem enjoyable, or something you can switch on and off and come away from unscathed. […] With the pornography you can get on the internet, there's no regulation, and the things that it's showing isn't a narrative, it's just mean to arouse and make people feel powerful, so there's a lot more chance that people are going to take this and ape it because of the feeling they associate when watching it, where it's a feeling of arousal and power that you want to replicate, and that's addictive…" – *Francis, 25, heterosexual male and past consumer of pornography*

For Francis, the direct harm causal harm in pornography is that it causes the direct replication of power dynamics portrayed in mainstream pornographic depictions, compounded by the intensity of the misogyny in many materials. Steve echoed this view, explaining further that mainstream pornography is often viewed – and the messages inherent within it received – in the absence of a cultural dialogue on the possibilities of sex, sexuality and relationships:

"I would definitely agree that pornography has the capacity – that's nicely worded – to harm people that view it, absolutely. That would be the majority experience of porn, I would imagine there's some harm, particularly if it's habitual or even an addiction […] I'd imagine most of mainstream porn has a negative impact, however subtle and however even unrecognised that impact is. Because if you've never been taught that you can have a massive range of diverse, delicate sexual experiences, then you're not going to miss it. And I think if you brought up people to aspire to have a massive and diverse range of different sexual experiences and sensations and fantasies, then they would find most porn boring to the point of irrelevancy. But I think it's only because we're squeezed in a place that we aren't encouraged to develop

our own individual sexualities and explore that and feel confident with that, that porn is relevant and is something that is attractive and has an appeal…" – *Steve, 25, queer male actively attempting to reduce pornography consumption*

In Steve's view, mainstream pornographic depictions have the capacity to cause direct harm to viewers who lack the education and awareness of more holistic views around sex, sexuality and relationships. Hayley, meanwhile, agreed with Steve, stating that "most pornography has the capacity to be harmful". While Steve and Francis, alongside Hayley and David, stated strongly that they believed pornography had the capacity to directly harm and influence those viewing the materials, almost all participants discussed the capacities of pornography to harm in a multitude of ways – particularly what may be classed as 'cultural harms'.

The research also found that a third of the young people believed addiction (or risk thereof) to be a potential harm of viewing pornographic materials. While none of the young people explicitly stated that they had experienced addiction to viewing pornographic materials, the research found that compulsive viewing of pornography was a real difficulty encountered by at least one participant (as reflected in Steve's accounts, discussed in Chapter 4.1.3). Within this, a handful of participants discussed the dynamics of addiction, as Lola stated:

"It harms not just your sex life as a whole, it touches your everyday living. I was watching that silly 'Britain Unzipped' thing, and they did a poll that was like "how many men masturbate to porn once a day?" – it was like 9% of all men in the UK who admitted to doing that, and I was like "wow!"… and I'm fairly sure that if you have to do it more than once or twice a day, then that's addiction – even once a day is addiction… I've spoke to people who made a timetable at work so they could, in the middle of their lunch-break, go and whack one out! […] After a while, it becomes… they can't actually enjoy themselves without porn in the background… they actually find that the physically act of sex itself, they can't do it without porn…" – *Lola, 19, heterosexual female and occasional consumer of pornography*

Like Lola, Tom discussed his observations of two peers who he believed to be reliant upon viewing pornography:

Well, I suppose that's like trying to find the dividing line with all addictions. It's when it has a big impact on people's thoughts... if they get withdrawal symptoms without it would normally indicate an addiction [...] With those two people [discussed previously], I think they've maybe become repressed in other parts of their lives because of excessive watching [...] 'An unhealthy reliance on' would probably be how I'd phrase it... just with a couple of people I used to know quite well, they generally become social recluses... I'm not saying that's *because* of porn, but it's something that might go hand-in-hand with it..." – *Tom, 20, heterosexual male and frequent consumer of pornography*

Tom's discussion of his experience of peers' "unhealthy reliance" upon pornography indicate that, for him, the issue of addiction to viewing pornographic materials potentially "go hand-in-hand" with other factors that together encourage social isolation and an unhealthy reliance upon viewing these materials. The finding that a third of the young people believe that a potential harm of pornography involves addiction to or reliance upon pornography for sexual arousal echoes the young people's perspectives on 'cultural harm'. Indeed, the young people expressed that a lack of cultural dialogue around the multitude manifestations of healthy sex and sexuality may serve to foster an environment in which excessive viewing of pornography – and the subsequent acceptance and replication of the messages inherent within these materials – can flourish.

Throughout the young people's discussions of the capacities of pornography to cause harm, there was an equal onus in many of the young people's perspectives that pornography is related to wider societal structures of – especially gender-based – oppression. In the context of legal regulation, the participants generally did not discuss legislation as a means to address these perceived harms. Indeed, as discussed by many of the young people, attitudinal shifts, increased cultural dialogues on sex and sexuality, and more holistic approaches to sex in educational, media and intra- and inter-personal contexts were all factors that young people perceived as having the capacities to address the potential harms of pornography they discussed.

The potentials for 'cultural harm' as a justification for legislating against materials have also attracted criticisms, often relating to wider classical libertarian discourses on freedom of

expression and the lack of causal evidence.   As McGlynn and Ward (2009) write, there are three main 'fundamentalisms' within legal discourse pertaining to pornography – conservative, feminist, and libertarian. While the former two generally support the use of legislation to regulate pornography, the libertarian stance generally supports minimal state intervention in these matters, often citing the need to protect individual freedom of expression – especially where clear causal evidence between pornography consumption and harm (on individual and cultural levels) is lacking.

Classical libertarian legal scholars often drawn upon John Stuart Mill's essay, *On Liberty*, with particular focus on the 'Harm Principle': 'That the only purpose for which power can be exercised over any member of a civilised community, against his will, is to prevent harm to others (Mill 1985: 68, cited in McGlynn and Ward 2009: 335). As McGlynn and Ward (2009: 335) explain, classical libertarians 'employ a strict interpretation of Mill's principle, proclaiming that, in the absence of clear evidence of physical, or perhaps even mental, harm, legislative regulation of individual behaviour is unwarranted'. While critiques of this particular use of Mill's principle to discredit legislative interventions have been written (see McGlynn and Ward 2014), in the absence of clear evidence linking pornography consumption to harms on socio-cultural levels, it can be argued that justifying legislation on the basis of cultural harm is also unwarranted, manifesting an infringement upon personal liberties.

As with the criticisms waged towards the *Obscene Publications Acts* and during the consultation phases of the current 'extreme' pornography provisions (discussed throughout Chapter 1.3), scholars have argued that the 'extreme' pornography provisions, too, have the capacity to reinscribe normative notions of sex and gender expression, whilst the legislation arguably also operates within an implicit paternalistic assumption that pornography is inherently disempowering and harmful (see Attwood and Smith 2010; Carline 2011). Here, it is a case of balancing justifying legislation on the basis of cultural harms with individuals' rights to freedom of expression without criminal repercussions – a balance that scholars on many sides of the divide argue may not have been reached (see Attwood and Smith 2010; Carline 2011; McGlynn and Rackley 2009).

5.6 Summary: Young People's Perspectives on the Legal Regulation of Pornography

This Chapter discussed the findings pertaining to young people's perspectives on the legal regulation of pornography. Firstly, with Section 5.1, this Chapter demonstrated that the majority of young people are not aware of 'extreme' pornography provisions in the *CJIA 2008* and the *CJL(S)A 2010*. This Section also found that young people generally thought that a wider range of materials were criminalised than currently are within the remit of the 'extreme' pornography provisions, and that young people generally thought that criminal offences pertaining to these materials were more likely in the cases of production and distribution.

Section 5.2 discussed the findings pertaining to what materials young people think should be criminalised, and their perspectives on the offences they would apply to these materials. The research found that young people would generally criminalise the materials proscribed under the *CJIA 2008* and the *CJL(S)A 2010* alongside materials depicting rape (which are not currently proscribed under the *CJIA 2008*) and materials depicting infantilisation. The research also found that young people generally supported creating offences for production and distribution, with only a minority of young people supporting the creation of possession offences.

The findings discussed throughout Section 5.3 highlight the complexity of the impact of criminalisation upon young people's decision-making processes around accessing proscribed materials. The research found that while proscriptive legislation pertaining to possession would deter many of the young people from accessing the proscribed materials, this finding was mediated by the perceived risk of active prosecution and – interestingly – *not* by the capacities of proscriptive legislation to infer ethical or moral frameworks (pertaining to content, for example) that young people trust or agree with. Indeed, the research found that if the risk of active prosecutions was regarded as being low or negligible, young people would continue to access materials mediated by their own ethical and moral frameworks such as in the case of the findings pertaining to violence-related materials discussed in Chapter 4.2.3.1 and, furthermore, the knowledge that a material was criminalised may increase the likelihood of young people accessing the proscribed materials.

Section 5.4 discussed the findings pertaining to young people's perspectives in animated, cartoon and computer-generated materials, investigated in direct response to the 'real' image stipulations in the *CJIA 2008*. The research found that while opinion was divided among young people as whether these materials and materials depicting 'real' people should be regarded with equal weighting, many young people regarded animations as a *medium* through which to view depictions and it was therefore the *messages* inherent in animated, cartoon and CG materials that young people regarded as potentially problematic. Meanwhile, the research also found that – compared to materials depicting 'real' people – some young people believed animated depictions to have the capacity to both limit the harm caused to those involved in producing the materials and to act as a preventative measure against active perpetration of violence.

Finally, Section 5.5 discussed the findings on young people's perspectives on the capacities for pornography to 'deprave', 'corrupt' and harm. While many of the young people found the former terms irrelevant and confusing, the research found that many of the young people believed pornography has the capacity to cause harm on both personal and cultural levels. The research found that as a result of these perceived harms, many young people advocated improved cultural dialogues and an holistic analytical framework with which to understand sex, sexuality and sexual relationships, in order to analyse, interpret and challenge the potentially harmful messages inherent in pornographic content accessed by young people and – indeed – the societal structures and resulting messages pertaining to sex, sexuality and gender.

CHAPTER 6

Conclusion

In this final Chapter, firstly the findings from the empirical research are discussed and summarised in Section 6.1. In Section 6.2, this Chapter then discusses the limitations of the research and recommendations for addressing these limitations. This Chapter then, in Section 6.3, discusses how this research adds to existing knowledge and closes with a discussion of directions for future research in Section 6.4.

6.1 Summary of Findings

This Section summarises the main findings from the research on young people, pornography and its legal regulation discussed throughout Chapters 3, 4 and 5 of this thesis, responding directly to the three main Research Questions outlined in Chapter 2.1. Beginning with an overview of young people's definitions of pornography (6.1.1), this Section then summarises the findings pertaining to the range of materials viewed by young people (6.1.2) and young people's perspectives on the legal regulation of pornography (6.1.3). In addition to these Sections responding directly to three main Research Questions, Section 6.1.4 outlines the findings pertaining to the innovative and ethically sound empirical research method – Spectral Elicitation – designed and utilised for the purpose of this research.

6.1.1 How Young People Define Pornography

The first of the three main Research Questions (as outlined in Chapter 2.1) concerned investigating how young people define pornography, the findings from which are discussed throughout Chapter 3. Young people's definitions of pornography were generally aligned to those in the existing literature and legislation (discussed in Chapter 1.1). The research found that young people predominantly defined pornography as explicit materials depicting sexual activity (often involving people) produced and consumed for the purpose of sexual arousal. In addition, the research found that young people's definitions were sometimes mediated by paradigmatic defining factors, such as the involvement of capital, negative depictions, and

unrealistic portrayals. The research found that within young people's definitions of pornography, there was significant emphasis on moving images – i.e. videos – as the medium associated with being most explicitly pornographic, with moving images streamed on the internet also being the most common way in which the young people viewed pornography (as discussed further in Section 6.1.2).

By discussing and establishing definitions during empirical research interviews with young people on pornography, young people were attuned to considering their definitions throughout the interviews and, as a result, this consideration enabled young people to differentiate between pornographic and other sexual or sexualised depictions in their discussions. This finding is important for two reasons: Firstly, it demonstrates both that the thematic findings in this thesis pertain to 'explicit materials depicting people engaged in sexual activity produced and/or consumed for the purpose of sexual arousal' – an amalgamation of the young people's definitions of pornography and of the generally accepted definitions of pornography in the legislation and literature discussed throughout Chapter 1.1. Secondly, this finding demonstrates that by discussing definitions with young people, it can be reasonably ensured that both the research and the participants are discussing and responding to the same *types* of materials, which facilitates selective analysis of the data and subsequently provides continuity across the findings.

6.1.2 The Range of Materials Viewed and Encountered by Young People

The second of the three main Research Questions (outlined in Chapter 2.1) pertained to the range of pornographic materials viewed by young people. The findings discussed throughout Chapter 4 demonstrate that young people have viewed a wide range of pornographic materials and content. The research found that most of the young people accessed pornography between at least once per week to several times per month, and that the most common way of accessing materials was through streaming videos online. While the research found that most of the young people continued to view pornography since their initial encounters with materials (aged, on average, 12 years old), the research also found that some young people had purposefully ceased, reduced or altered their access to pornography.

The research found that the range of materials discussed were both purposefully viewed and accidentally encountered by young people, yet the distinctions between these conditions of access may be less distinct than previous research suggests. Indeed, previous empirical research has provided statistical overviews of the numbers of young people (usually aged 8-19) accessing pornography and the numbers of young people upset by the materials they have encountered (outlined in Chapter 1.2.1, discussed further in Section 6.3). This thesis has demonstrated that these categories of experience are not mutually exclusive and that over the course of streaming *one* pornographic video online young people can view a range of content both purposefully and accidentally. This research found that young people regularly encountered a range of pornographic content, many of which they did not actively seek out or purposefully choose to view, such as visible ejaculation onto women's faces and bodies. While initial access to the material was purposeful, viewing specific content and depictions within these materials was not always purposeful. The young people framed viewing content they did not actively wish or seek to view as being a *necessary evil* of streaming pornographic materials online.

The research found that many young people had viewed violence-related materials – such as depictions of choking, strangulation, slapping, and dubious sexual consent. As existing literature suggests (see Dines *et al* 1998; Tyler 2010), this research found that violence-related depictions are not only marketed and consumed as discrete categories of 'violent' or 'niche' pornography but also feature regularly in mainstream pornographic content. The findings of this research corroborates these observations in the thematic literature, finding that young people who actively viewed pornography regularly encountered these depictions. The research also found that some young people had viewed materials that are currently proscribed under the *CJIA 2008* and *CJLSA 2010*. As outlined in Chapter 1.3, the possession of depictions of sexual activity between people and animals is a criminal offence under these Acts, yet many of the young people had encountered these materials at some time. As discussed in Chapter 1.3.2.3, a broad definition of possession that covers some forms of viewing (such as online streaming) is often employed within criminal law regimes, specifically in cases pertaining to the possession of child abuse images. Such cases have ruled evidence – such as internet search terms and whether an individual has the means to access to a material – to be admissible in proving intent and establishing liability. Yet in the absence of legal

precedent set to date in the context of the *CJIA 2008* and *CJL(S)A 2010* provisions, the specific implications of inadvertence upon the legal definition of possession within the 'extreme' pornography provisions are yet to be firmly established.

In the context of both materials consumed or encountered by young people and in legal regulation, the research found that there was a general lack of clarity as to what constituted rape in pornographic depictions. The research also found that some young people (mainly females) actively engage in viewing materials depicting 'rape fantasy', and that some young people had either encountered or actively viewed materials depicting 'amateur' pornographic materials or 'real sex videos' depicting people – predominantly inebriated women – being 'taken advantage of'. The research also found that the sexual consent of those depicted in the materials was important for many young people and that the young people who actively sought out BDSM materials employed a range of tactics to ascertain whether those depicted in the materials had given their consent to the sexual activity occurring.

6.1.3 Young People's Perspectives on the Legal Regulation of Pornography

The final Research Question (outlined in Chapter 2.1) aimed to investigate young people's perspectives on the legal regulation of pornography. The research found that young people were unaware of the 'extreme' pornography provisions in the *CJIA 2008* and the *CJL(S)A 2010*, and generally perceived more materials to be criminalised than currently are in Scotland, England and Wales. The young people also thought that a wider range of materials *should be* criminalised than currently are. Young people thought that the offences relating to these materials both *do currently* and *should* predominantly pertain to production and distribution, with many of the young people unaware of and critical towards possession offences.

As discussed in Section 6.1.2, young people employed their own judgement and pre-conceptions of what constitutes rape in order to ascertain the consent status of those depicted when viewing materials. The research also found that although the majority of young people thought that depictions of rape ought to be criminalised, young people's perspectives on what constitutes rape were generally aligned to an assumption that depictions of rape would be identifiable from other pornographic depictions (as discussed previously in Section 6.1.2). A concern was therefore expressed by many young people that if

it were a criminal offence to possess materials depicting rape, would this provision cover both 'actual' rape and 'rape fantasy' materials? Alongside this, the young people were concerned about possession offences because individuals may possess pornographic materials depicting rape unknowingly – believing, instead, that the pornographic material they are in possession of depicts consensual acts. As previously discussed in Chapter 1.3.2.3 and Section 6.1.2 in the context of possession offences, this raises questions whether ignorance of the current legislation may constitute a defence. While possession offences in criminal law regimes (particularly in cases pertaining to child abuse images) generally operate upon a strict liability interpretation of the legislation under such circumstances, in the absence of legal precedent set for the 'extreme' pornography provisions no solid conclusions can at this time be drawn.

Pertaining to animated, cartoon and computer-generated materials, the research found that many young people thought that these materials were just another *medium* through which content is depicted, as opposed to separate categories of content to be regarded – and, indeed, legislated against – separately. While these materials can contain sexual activity impossible to replicate in pornographic materials depicting 'real' people, the research also found that in the experience of young people these materials are often rife with depictions of rape, sexualised violence, infantilisation, and incest. These findings therefore question the exemption of these materials from the *CJIA 2008* and (most likely) the *CJL(S)A 2010*. While small-scale in-depth research does not lend itself to providing recommendations for legislative reform, the findings indicate that the 'real' image stipulations and resulting exemption of animated materials from the provisions constitute an area of significant legal import requiring further research and consideration, particularly in the context of legislative reform.

The research also found that many young people would not be deterred from possessing a material they *knew* or *thought* the possession of which to be criminalised. Indeed, the research found that young people generally did not look to legislation to establish ethical precedents, and instead young people predominantly employed their own ethical frameworks in their decisions whether to view materials. Moreover, the research found that the fear of punishment through criminal law – and the resulting embarrassment incurred by investigations and prosecutions – to be more of a deterring factor for young people than the materials in and of themselves being criminalised. These findings highlight a tension for

legislative reform debates: if consumers are not aware of the current provisions and also do not look to legislation to set ethical precedents for their consumption practices, this perhaps serves to question the role and usefulness of the 'extreme' pornography provisions, thus constituting a significant area for future research and consideration, particularly in the context of legislative reform debates. As discussed in Chapter 1.2.2, the tensions highlighted within the young people's perspectives and consumption practices may serve to *inform* and *instigate* further investigations of particular legal and policy import, with the role consumers' perspectives play in policy formation and legislative reform debates being a matter requiring further consideration by policy-makers and legal scholars.

Although the research found that young people generally rejected the capacities of materials to 'deprave' and 'corrupt' (as stipulated in the *OPA*'s test for obscenity) often due to confusion around or dismissal of these terms, many of the young people believed pornography to have the capacity to cause harm. This included harms on cultural levels, thus corroborating both McGlynn and Rackey's (2009) assertions on 'cultural harm' as a justification for legislating against 'extreme' materials, and the criticisms metered towards legislators who retreated to the causal paradigm when writing the *CJIA 2008*.

6.1.4 Empirical Research Methods and Spectral Elicitation

Developed for the purpose of this research, Spectral Elicitation was an incredibly useful tool when researching young people and pornography in an interview context, and participants responded very positively to the method. It allowed for in-depth and rigorous verbal and non-verbal exploration of the Research Questions, whilst enabling the physical manipulation of complex ideas, a wide range of pornographic content, and personal perspectives and experiences. Within this, through utilising Spectral Elicitation, the wide range of pornographic content available, viewed by young people, and (in some cases) proscribed under the 'extreme' pornography legislation alongside young people's perspectives on the specific forms of content and the legal regulation of these materials were discussed in great depth and findings generated – an accomplishment difficult to achieve through verbal transactions alone.

In tandem, the Spectrums also provided fascinating overviews of the participants' perspectives on and experiences of pornography and its legal regulation, playing an important role in analysing the empirical research data and presenting the findings throughout Chapters 4 and 5. This research reveals that there is greater scope for developing, refining and utilising innovative methods such as Spectral Elicitation when investigating complex and potentially sensitive research areas in empirical research contexts, particularly in the academic study of young people's– and, indeed, pornography consumers of any age – consumption of and perspectives on pornography and its legal regulation.

6.2 Limitations and Considerations

This Section outlines the limitations of the research discussed throughout this thesis pertaining to generalisability and sample size (6.2.1) and access and inclusion of Deaf and disabled participants (6.2.2).

6.2.1 Generalisability and Sample Size

Having identified the lacunas in existing research (discussed throughout Chapter 1), the key aim of the research was to conduct in-depth research with young people on the topic of pornography (discussed in Chapter 1.2). This particular aim was certainly met by the research, and could have only been met by conducting the research with a relatively small number of young people. Inevitably, however, this small sample size of the empirical research hinders the ability to draw generalisable conclusions from the empirical research findings. While generalisability was not the aim of this thesis, in the light of the findings significant future thought can be given to conducting larger-scale studies in this area.

Indeed, future research in this area could benefit from a mixed-methods approach, made possible with further time and resources. Previous in-depth research such as McKee's (2005) investigation of Australian pornography consumers' views on pornography and its effects and Knutsen *et al*'s (2007) research on youth, gender and pornography in Sweden utilised both large-scale quantitative surveys and in-depth interviews with participants, with the interviews conducted as part of McKee's (2005) research serving to expand on the survey responses submitted by participants. As discussed in Chapter 1.2.1, there were limitations upon these studies, too. McKee's (2005) research was conducted with *adults* aged 18 – 60+ in Australia,

and the interview questions were both limited in their scope and specific to Australian media and legislation. Meanwhile, Knutsen *et al*'s (2007) research was comprised of a number of different research projects conducted with teenagers across Scandinavia, and there was therefore not unity between the specific research questions for the large-scale and in-depth research. Moreover, both of these studies were conducted outside of the UK.

While, as highlighted throughout the thesis, small-scale in-depth research does not lend itself to providing solid recommendations for policy formation and legislative reform, the exploratory nature of the research functions to draw out significant areas of legal and policy import for further research and consideration. In order to expand upon the findings and increase generalisability, future research could therefore utilise a mixed methods approach to investigate unified research questions based upon the findings of this thesis. This would serve to further investigate and expand upon the findings of this thesis – particularly those pertaining to materials viewed by young people, depictions of rape, animated materials and legal regulation – and provide overviews of consumers' perspectives on pornography and its legal regulation. Conducting future research of this nature could therefore serve to build a picture of younger consumer's perspectives on pornography in England, Wales and Scotland that is simultaneously larger in its scope and yet still nuanced in its findings.

6.2.2 Deaf and Disabled Participants

When collecting demographic information from participants during the empirical research, information on participants' disability status was not collected and none of the participants were visibly Deaf or disabled. Informed by this consideration, there is significant scope for future research to ensure Deaf and disabled people are able to participate in empirical research interviews. For example, the calls for participants for empirical research should be distributed to these groups and demographic information recorded. Accessible venues should be made available and detailed in the call for participants, and budgets secured for British Sign Language interpretation. Moreover, as the Spectral Elicitation method (outlined in 2.2.1) was primarily a *visual* method utilised in the empirical research interviews, there is scope too in considering how to make the elicitation methods more accessible to blind and partially-sighted participants. Significant future thought is also of value regarding how to make both

empirical research interviews and elicitation methods more accessible to participants with learning disabilities, dyslexia, autism and mental health conditions.

6.3 What this research adds to existing knowledge on young people, pornography and its legal regulation

This research adds significant new knowledge to existing empirical research findings and methods, theoretical discussion, and legal debates on young people, pornography and its legal regulation. This new knowledge pertains to: the positive impact of discussing definitions of pornography with empirical research participants to ensure contextual unity between the aims of the research and the research findings; the range and types of pornographic content viewed by young people and their perspectives on this content; young people's perspectives on legal regulation and resulting issues requiring further consideration, such as cartoon materials, depictions of rape, and the capacities of possession offences to set ethical precedents, and; increasing methodological knowledge on conducting in-depth qualitative research in this area.

Previous research in this field has generally been assumed to be of a too 'sensitive' nature to ask direct questions of young people on pornographic content in a qualitative manner. As such, the main studies have tended to use quantitative methods (see Aisbett 2001; Kaiser Family Foundation 2007; Livingstone and Bober 2005; Mitchell *et al* 2007 for empirical research; see Flood 2009; Horvath *et al* 2013 for reviews of existing empirical research) or have not directly asked young people about their *own* experiences (see Zero Tolerance 2014). This research has therefore contributed to methodological knowledge by demonstrating that through utilising a carefully designed method, rich and nuanced data can be elicited and findings generated while remaining mindful of the specific ethical considerations pertaining to pornography research (as discussed throughout Chapter 2.2.1.1).

Moreover, the majority of previous empirical research has focused on children and teenagers (as discussed in Chapter 1.2), which carries ethical implications that may make it difficult to gain approval for in-depth studies on pornographic content with these demographics. Through conducting research with young people aged 18 – 25, this research contributes to existing empirical research knowledge by revealing that investigating young people's current

and retrospective accounts of their encounters with pornography can provide rich and nuanced findings on young people and pornography, whilst ensuring that the ethical framework for the research is robust.

This research has demonstrated that discussing definitions with research participants when conducting empirical research on pornography is a significant and vital element of both the thematic focus of the research and the research design for empirical investigations in this area. The majority of previous research on young people and pornography has not sought to establish definitions of pornography as a central research aim – a significant lacuna identified, too, by Linvingstone (2005) and by Horvath *et al* (2013) in their Rapid Evidence Exercise on young people and pornography. Moreover, previous reports that have sought to establish definitions with young people – such as Zero Tolerance's (2014) report on young people, pornography and sexualised media – have not established a unified definition that differentiates between pornography and sexualised media nor generated these definitions from young people's own accounts and perspectives in qualitative contexts.

By discussing definitions with participants, contextual unity between the research framing and the research findings can be achieved through selective analysis of the data. This research therefore adds to existing knowledge by demonstrating that discussing and establishing definitions of pornography with research participants at the beginning of empirical research interviews ensures that participants are mindful of and vocalise differentiations between different media forms throughout empirical research interviews and, as a result, the data pertaining only to what aligns with the definition of pornography within which the research is framed is utilised to generate findings – thus providing differentiated and nuanced findings on the media form the research seeks to investigate.

This research contributes to existing knowledge and empirical research findings pertaining to young people's interactions and contact with pornography, the range of pornographic content viewed by young people, and young people's perspectives on this specific content. Few in-depth studies have been conducted with young people in this particular area – and no such similar study in the UK can be identified. Existing literature has demonstrated that there is a vast array of freely-available pornographic content available online (see Dines *et al* 1998; Dines 2010; also Boyle 2010b and Reist and Bray 2011b, edited collections) and, within this,

many violent or violence-related depictions and practices (see Bridges *et al* 2010; Tyler 2010). Existing empirical research, however, has predominantly been quantitative and utilised surveys to investigate young people's use of pornography (and resulting impacts and effects) without unpicking the *range* and *types* of content it seeks to investigate.

While the majority of previous research has been conducted using large-scale quantitative methods, qualitative work in this area occurs less frequently and 'has tended to originate from a concern with sex education or with the development of sexual maturity and sexual relationships amongst young people, rather than from a focus on pornography itself' (Atwood 2005: 76), as demonstrated by previous research conducted predominantly in Scandinavian countries (see Häggström-Nordin *et al* 2006; Johansson and Hamarén 2007) and in Scotland (Zero Tolerance 2014). Moreover, this research is original in its utilisation of a mixed-gender sample for conducting in-depth empirical research on pornography consumption, as previous research in this area is primarily disaggregated by gender and most often conducted with male consumers (see Atwood 2005; Flood 2009; Löfgren-Mårtenson and Månsson 2009). This research has therefore further contributed to existing knowledge by generating findings on young people's interactions with pornography as media form, thus differing from the discursive framing of much of the previous qualitative empirical research in this area, which generally involve impact-based investigations within public health and sex education discourses.

Moreover, much previous empirical research in this area is 'disconnected from the reality of the material' (Jensen and Dines 1998: 67), and, as a result, has generated findings pertaining to a generalised entity of pornographic materials and subsequently lacks the nuanced findings on specific forms of pornographic content provided by this research. By grounding the research in 'an understanding of the material that exists in the world' (*Ibid*) – facilitated by the Spectral Elicitation method designed and utilised for the purpose of this research – this research contributes to existing empirical research through revealing both the wide *range* and the specific *types* of content young people are viewing and their perspectives on the specific content.

As stated previously, existing empirical research predominately manifests in quantitative studies with young people on the impacts of exposure to pornography – with specific focus,

in many studies, on the impacts of 'inadvertent' and 'premature' exposure to pornography (see Aisbett 2001; Kaiser Family Foundation 2001; Mitchell *et al* 2007). Much of this research has been framed and thus investigated 'purposeful' and 'inadvertent' exposure as two discrete and distinct categories (see Livingstone and Bober 2005). This research has contributed to existing knowledge by finding that the categories of 'purposeful' and 'inadvertent' contact with pornographic depictions are inaccurate representations of how pornography is experienced by young consumers, with young people encountering content both purposefully and inadvertently during the course of streaming *one single* pornographic video online. Moreover, this research contributes to existing knowledge by finding that unsolicited viewing of specific content was framed by the young people as being a *necessary evil* of actively seeking out and consuming pornography online. These findings also add to existing methodological knowledge by demonstrating that research questions in empirical research investigating young people's contact with pornography and subsequent impacts needs to be re-framed in order to account for these variations in access.

Moreover, this research has demonstrated that some young people who were regular consumers of pornography have ceased or reduced their consumption of pornography – a finding not generally considered in existing empirical research in this area. Existing research has demonstrated how many young people have accessed pornographic materials and that the frequency of access may increase with age, with a subtext that pornography consumption most likely increases and intensifies since young people's initial purposeful contacts with pornographic materials (see Brown and L'Engle 2009; Hasebrink *et al* 2009; Johansson and Hammarén 2007; Livingstone *et al* 2010, all cited in Horvath *et al* 2013a: 23). This research found, however, that this apparent trajectory is not congruous with the experiences of all young people. This finding is significant because through investigating young people's motivations for these changes in their behaviours, insights can be gained into the conditions that contribute to these decisions – such as, as this research found, dislike of the messages inherent in pornographic materials, increased awareness of feminist critiques of pornography, and concerns about the impacts of pornography on intra- and inter-personal levels.

This research also adds to existing knowledge in the context of the legal regulation of pornographic materials – with particular focus on and pertinence to the 'extreme'

pornography provisions and possession offences within the *CJIA 2008* and the *CJL(S)A 2010*. Previous research in the area of young people and pornography has not investigated young people's perspectives on legal regulation nor their perspectives on the 'extreme' pornography provisions introduced over the last six years. By investigating young people's knowledge about and perspectives on legal regulation *in conjunction with* investigating their own pornography consumption generated findings that provide significant considerations for further empirical research, thematic enquiry, and legal thought in this area. While small-scale in-depth research does not lend itself to providing solid recommendations for policy formation and legislative reform, the novel and exploratory nature of the research has served to draw out significant areas – and, indeed, tensions – requiring further research and consideration, particularly pertaining to legislative design and reform debates.

This research has demonstrated that while the possession offences within the *CJIA 2008* and *CJL(S)A 2010* were introduced to 'discourage interest in extreme pornographic material by breaking the demand/supply cycle' (Scottish Parliament 2009: 25) and a due to 'desire to protect society' (Woodhouse 2014), many young people did not look to legislation to set an ethical precedent for what materials they should access and, instead, employed their own ethical frameworks in deciding whether to view specific content – including when ascertaining and negotiating the presence of sexual consent in BDSM and sexually violent materials. In addition, if the government sought to legislate against violent and 'extreme' materials due to the messages these materials convey – as opposed to protecting those depicted in the materials – then, arguably, the legislation ought to include animated, cartoon and computer-generated materials. Indeed, this research contributes to existing knowledge on the exclusion of the cartoon and CG materials in the *CJIA 2008* and (most likely) the *CJL(S)A 2010*, finding that for many of the young people these materials are simply another pornographic *medium* and the *content* and subsequent *messages* of these materials is comparable to depictions of 'real' people – thus, presenting a major challenge to the current 'extreme' pornography provisions and, as a result, necessitating further research and consideration. Lastly, this research contributes to existing knowledge by presenting findings on how young people perceive and negotiate sexual consent when viewing pornographic materials, thus providing many new considerations for future research investigating the 'extreme' pornography

provisions – particularly with depictions of rape and especially in light of the upcoming legislative shifts in England and Wales.

6.4 Directions for Future Research

Having thoroughly considered the findings discussed throughout this thesis, several areas can be identified as significant directions for future research. This final Section therefore provides recommendations for future empirical research and legal considerations in the areas of young people, pornography and its legal regulation, alongside methodological considerations.

Firstly, this thesis recommends that further research be conducted into animated materials and depictions of rape both in the context of legal regulation and in empirical research with consumers of pornography. In terms of animated and computer-generated materials, significantly more research is needed to investigate the content of these materials and conditions by which it is consumed. Further research is also required into whether the content of these materials – such as rape, sexualised violence, infantilisation and incest – are a justification for the inclusion of animated and computer-generated materials into the 'extreme' pornography provisions in England, Wales and Scotland. In addition, this research recommends further empirical research into the *impacts* of criminalising 'extreme' pornographic materials upon consumers' choices, behaviours and attitudes towards the materials proscribed, and the capacities of proscriptive legislation on 'extreme' pornography to set ethical precedents for consumers. Within this, further consideration and research on how possession is defined within wider criminal law regimes is necessary and, subsequently, how possession is in practice defined within the 'extreme' pornography legislation – which is of particular legal import in the context of group viewing.

In light of both the findings of thesis and the announcement that – like in Scotland – the possession of images depicting rape will be a criminal offence in England and Wales, future research needs to consider the remit of what constitutes images of rape and other non-consensual penetrative sexual activity in the context of this legislation. Future research needs to consider *how* it will be ascertained that an image depicts rape from the perspectives of consumers and in the context of the legislation, in order to avoid adhering to the myths commonly espoused in criminal cases (and, indeed, expressed by many of the young people)

that rape inherently involves vocal protestations and a great degree of visible and debilitating physical violence. Future research needs to consider whether in the potential absence of informed consent given to *each* and *every* sexual act within a material, these materials would be regarded as rape, or whether it only becomes a depiction of rape once those depicted in the materials have stated so. Indeed, future research needs to consider whether the remit of this offence pertains *only* to materials marketed to consumers as depicting rape or to *all* materials that appear to or may depict rape and non-consensual penetrative sexual activity, and consider the placement of 'rape fantasy' and BDSM materials within this. Moreover, future research needs to consider whether the *intent* of those possessing materials depicting rape is a mediating factor within the offence and subsequent prosecutions, and further investigate the ways in which pornography consumers perceive, negotiate and ascertain the sexual consent of those depicted when viewing pornographic materials (if at all).

While the research found that many of the young people continued to view pornography since their initial encounters with pornography materials, it also emerged that some had purposefully discontinued, reduced or altered their consumption of pornography. This line of enquiry for future research can serve to reverse the popular narrative from *why are young people viewing so much pornography?* to *why are some young people choosing to cease access and view so little*?, and in doing so provide a novel way in which to envision future research in this area.

With this in mind, this thesis lastly recommends further research into the range of pornography viewed by young people in the UK and their perspectives on these materials, to be conducted using a mixed-methods approach incorporating both large-scale surveys and in-depth qualitative research with a unity in the research questions investigated. Within this, this thesis recommends further utilisation and development of innovative and ethically sound methods when conducting empirical research on complex and potentially sensitive issues – particularly the utilisation of the Spectral Elicitation method in in-depth empirical research contexts. Furthermore, this research recommends digitising the Spectral Elicitation method so it can be utilised in quantitative research contexts (such as on-line surveys), in order to generate unified findings across the study. Future research should continue to establish definitions of pornography with those participating, and also be utilised to further investigate perspectives on animated materials and depictions of rape. Moreover, this thesis

recommends that this future research is conducted and published with a view to both informing policy and generating public resources, in order to relocate pornography from bedrooms across the nation to a space of collective dialogue, critique and engagement with the materials young people are encountering – and, in the case of some materials, legislators are proscribing. As a result, further consideration on the weight given to consumers' perspectives and consumption practices within policy formation and legislative reform debates is also required.

As demonstrated by this thesis, the area of young people, pornography and its legal regulation is richly complex – simultaneously dense and nuanced – and by conducting these in-depth empirical investigations on the actual *types* of pornographic content accessed by young people this research has begun the process of digging where others seldom even tread in empirical research. As Edwards (1997: 137) states, 'the rising effluvium of pornography and violent pornography on the internet is a nettle which needs to be grasped'. This thesis has grasped this nettle and, unlike previous research in the UK, has done so by inviting young people to discuss in-depth the range of pornography's stings and their perspectives on the remedies offered by legal regulation. As discussed throughout this Section and as a result of this thesis, there are many more stings yet to consider and nettles yet to grasp, uproot and investigate through further research in this area.

APPENDICES

Appendix 1: Spectrum Materials

Category Cards

Spectrum No.	Category Card 1	Category Card 2
Spectrum I	Never	Often
Spectrum II	Never	Often
Spectrum III	Is criminalised	Is not criminalised
Spectrum IV	Should be criminalised	Should not be criminalised
Spectrum V	Should be unavailable / restricted	Should be available / unrestricted

Text Cards

Spectrum No.	Text Cards	
Spectrum I	Downloaded porn from the internet	Viewed porn alone
	Streamed porn on the internet	Viewed porn with a friend
	Viewed porn on your phone	Viewed porn with a group of friends
	Viewed porn on DVDs or videos	Viewed porn with a partner
	Viewed porn in magazines or books	Viewed porn with an acquaintance
	Read sexually explicit stories	Taken sexually explicit pictures of yourself
	Read erotic literature*	Made sexually explicit videos of yourself
	Viewed porn on another's phone*	Taken sexually explicit pictures of a partner

	Skype video chat*	Made sexually explicit videos of a partner
	Paid for porn*	Taken sexually explicit pictures of yourself and someone else
	Made sexually explicit videos of yourself and someone else	Taken sexually explicit pictures of a friend
	Viewed sexually explicit pictures of someone you know	Made sexually explicit videos of a friend
	Viewed sexually explicit videos of someone you know	Taken sexually explicit pictures of an acquaintance
	Had sexually explicit pictures taken of you*	Made sexually explicit videos of an acquaintance
	Acted out something in your sex with a partner that you saw in porn*	
Spectrums II, III, IV and V	Sexual activity between men and women / "straight porn"	Sexual activity between women / "lesbian porn"
	Sexual activity between men / "gay porn"	Transgender people
	Oral sex – male	Oral sex – female
	Visible ejaculation – male	Visible ejaculation – female
	Solo masturbation – male	Solo masturbation – female
	Threesomes	Group sex / "Gang bangs"
	One woman and two men	One man and two women
	Double penetration	Anal penetration
	BDSM	People portrayed as being underage / Infantilisation
	Fisting	Slapping
	Strangulation	Choking
	Hentai / Cartoons	Urine

	Faeces	Vomit
	Rape	Necrophilia / Dead people
	People and animals	Drunken taken advantage of*
	Spanking*	Storyline*
	Violent / can cause injury*	Rape fantasy*
	Bukkake*	Live cams*
	Scripted / consensual violent porn*	Point of View*

* Asterisks denote Text Cards contributed to the Spectrum Materials by participants during the empirical research.

Appendix 2: Sample Letter and FAQ for Participant Recruitment Sites

Durham University

Durham Law School
Durham University
50 North Bailey
Durham
United Kingdom
DH1 3ET

Dear [.......],

I am currently recruiting participants for my Doctoral research based at Durham University, which will investigate young people's perspectives on pornography, to be cross-referenced with current legislation and literature. I would like to recruit up to 10 participants aged between 18 and 25, of any gender and sexual orientation, from your [*organisation/institution*]. I have ethical approval for this research project, subject to permission from organisations to access their [*service users / students*].

I am writing to you because [*attributes of the institution or organisation*]. Due to the [*age-based or theme-based*] nature of this research, I would grateful if you could pass this correspondence onto [*named member of staff or department*].

Thank you for taking the time to read this letter and subsequent FAQ. Please feel free to contact me by e-mail if you require any additional information or a discussion regarding the research.

Yours sincerely,

Matson Lawrence

Doctoral Researcher
Durham Law School and the School of Applied Social Sciences
Durham University

FAQ

Who is the researcher?

I am a second year Doctoral Researcher from Durham University, based in the Durham Law School and the School of Applied Social Sciences. I am supervised by Professor Clare McGlynn and Dr Nicole Westmarland. I'm 23 years old, originally from the city of Derby in England, and I currently live in Edinburgh.

What is the research about?

The research aims to explore young people's perspectives on pornography. Participants will be aged between 18 and 25 years old, and must be at least 18 by or on their first correspondence with myself. The research will involve two interviews with each participant, lasting 1-1 ½ hours each. The research questions, methods and ethics for the interviews have been approved by the Director of Postgraduate Studies at the School of Applied Social Sciences, Durham University.

Why am I carrying out research into young people and pornography?

In recent years, pornography has been the subject of renewed dialogue in academic, legal, and public spheres – with particular focus on young people and pornography. In addition, between 2008 and 2010, the possession of 'extreme' pornography was criminalised in England, Scotland and Wales. This research therefore aims to investigate young people's perspectives on pornography in the light of these factors.

What am I asking of you?

I am requesting for a call for participants to be distributed among your service users, either through e-mail, flyers, or by putting up A4 posters in your organisation. These can either be distributed by a designated member of staff or by me personally, depending upon what you deem as most appropriate.

What will happen with the information given by participants?

The information gathered during this research will be included in my Doctoral thesis, and may also be used in subsequent academic writings and presentations. All personal details will be treated entirely confidentially and pseudonyms will be used to protect participants' privacy. Other possible identifying factors, such as place of study, workplace, or community involvement, will also be removed. Acknowledgement of your organisation's involvement in the research process will be entirely at your discretion.

Appendix 3: Sample Call for Participants

Hello, I'm looking for people aged between 18 and 25 to participate in my PhD research on young people's perspectives on pornography, in the context of your lives, society, and law. The research aims to:

- Investigate how young people define pornography;
- Explore young people's perspectives on pornography;
- Explore the range of materials viewed by young people (past and/or present); and
- Investigate young people's views on the legal regulation and criminalisation of pornographic materials.

You're invited to participate in two interviews, each lasting around 1 hour. The interviews will be confidential, anonymous, and non-judgemental. People of any gender and sexual orientation are welcome to participate.

If you're interested in participating or want more information, e-mail me at phdprojectporn@gmail.com. The interviews will take place within [*specified location*], and your time will be compensated with a £20 gift voucher, Looking forwards to hearing from you.

Many thanks,

Lawrence

Doctoral Researcher

Durham Law School and the School of Applied Social Sciences

Durham University

Appendix 4. Demographics Form for Participants

Durham
University

Demographics Form

All information will be treated entirely confidentially and you do not have to answer any questions you do not wish to answer.

Pseudonym: ………………………………

Age: ………………………………………..

1. I would describe my gender as: …………………………………………………….
2. I would describe my marital status as (please indicate the appropriate option):

   Single   In a relationship   Married/In a civil partnership

   Other (please state): ……………………………………………………..
3. I would describe my parental status as:

   Parent   Non-parent

   Other (please state): ……………………………………………………..
4. I would describe myself as being from:

   England   Northern Ireland   Scotland   Wales

   Other (please state): ……………………………………………………..
5. I would describe my ethnicity as:

   Asian   Black   Mixed Race   White

   Other (please state): ……………………………………………………..
6. I would describe my sexuality as: …………………………………………….
7. I would describe my religion as: ……………………………………………
8. I would describe my employment status as:

   In work   Student (College/Sixth Form)   Student (University)   Unemployed

   Other (please state): ……………………………………………………..

Appendix 5: Demographic Profiles of Participants

Participant Name	Age	Gender Identity	Sexual Orientation	Relationship Status	Nationality	Country of Residence	Ethnicity	Religion	Occupation	Recruitment Site
Andrew	23	Male	Bisexual	Single	From England	England	White	Agnostic	Postgraduate Student	University Mailing List
Charlie	25	Male	Straight	In Relationship	From UK	Scotland	-------------	None	In Employment	Snowballing
David	18	Male	Gay	In Relationship	From Scotland	Scotland	White	Non-Religious	FE College Student	Gender-based Violence Young Peoples' Group
Francis	25	Male	Heterosexual	In Relationship	-----------	England	White	Atheist	In Employment	Snowballing
Hayley	23	Female	Heterosexual	In Relationship	From England	England	White	Christian	In Employment	Call Distributed by Colleagues
Jane	25	Female	Straight	Married	From Kazakhstan	England	Asian	Muslim '(non-strict)'	Postgraduate Student	University Mailing List
Jo	23	Female	Heterosexual	Single	From England	Scotland	White	Atheist	Postgraduate Student	Feminist Group on Social Media
Juan	21	Male	Gay	In Relationship	From England	Scotland	White	'Believe in Jesus Christ but not in religion'	Undergraduate Student & In Employment	Snowballing
Lola	19	Female	Straight	Single	From Scotland	Scotland	White	Agnostic	Carer for Family Member	Gender-based violence Young Peoples' Group
Neil	22	Male	Gay	In Relationship	From England	Scotland	White	Atheist	In Employment	Snowballing

Sam	23	None Declared	*'In love with people, not genders'*	In Relationship	Outside of UK	England	Mixed Race	*'Born and bred Catholic, not really sure now'*	Postgraduate Student & In Employment	Feminist Mailing List
Sarah	20	Female	Questioning	In Relationship	From England	Scotland	White	Atheist	Undergraduate Student	Sex-Positive Group on Social Media
Sasha	23	Female	*'I like people'*	Single	From Scotland	Scotland	White	Agnostic	Postgraduate Student & In Employment	Snowballing
Seph	22	Female	Bisexual	Engaged	From England	England	White	Catholic	Postgraduate Student	University Mailing List
Steve	25	Male	Queer	-------------------	From Scotland	Scotland	-------------	Anamist	In Employment	Call Distributed in Social Centre
Tom	20	Male	Heterosexual	Single	From England	England	White	Atheist	Undergraduate Student	University Mailing List
Violet	22	Female	Heterosexual Open	Single	From England	England	White	Agnostic	Postgraduate Student	University Mailing List
Willow	25	Female	Queer	Polyamorous	Other: *'Originally from England but brought up abroad'*	Scotland	White	Atheist	Self-Employed	Call Distributed in Social Centre

Appendix 6: Sample Briefing E-mail for Participants

Hello […],

Great to hear from you - many thanks for expressing an interest in participating in the interviews. Below is some information about the research, in an FAQ format. If you have any further questions about the research, please feel free to discuss these with me.

Who is the researcher?

My name is Lawrence and I am a Doctoral (PhD) researcher based between Durham Law School and the School of Applied Social Sciences at Durham University. I'm 24 years old and originally from the city of Derby in England.

What is the research about?

The research aims to explore young people's (aged 18-25) views on and experiences of pornography, in both sociological and legal contexts. The research aims to:

· Investigate how young people define pornography;

· Explore young people's experiences of pornography (past and/or present) and the range of pornography young people have viewed;

· Investigate young people's views on the legal regulation of pornographic materials; and

· Develop innovative and ethically sound methods for researching young people and pornography.

What is the participation criteria?

In order to participate in the research you must be at least 18 years old and no older than 25 years old, of any gender and sexual orientation.

What am I asking of you?

I am inviting you to take part in two interviews with myself to discuss your perspectives on pornography, in the context of your life, society, and law. The first interview will explore definitions of pornography and your views on and experiences of pornography, from your first experiences to the present day. The second interview will explore your views on the regulation of pornographic materials. The interviews will last approximately one hour each. Your time will be compensated with a £20 "High Street" gift voucher.

What will happen with the information you provide?

The content of our discussions in the interviews will feature in my Doctoral thesis and other related writings. During the interviews, I will invite you to choose a pseudonym (different name). This pseudonym will be used when I am writing about and discussing the interviews. I will also alter or omit any other personal details from my writings so you cannot be identified. Any personal information you provide, such as your name and contact details, will be treated entirely confidentially and will be stored securely. These confidential details and the interview tapes will be destroyed at the end of the research project.

Also, if you would like to read through the interview questions prior to the interview(s), let me know and I'll e-mail them to you.

Thanks again for expressing an interest in participating, and I look forward to hearing from you.

Best wishes,

Lawrence

Appendix 7: Informed Consent Form

![Durham University logo]

Informed Consent Form

About the Research

The purpose of this research is to explore young people's perspectives on pornography and its legal regulation.

Your Rights

You have the right to participate voluntarily in the research project and the right to withdraw. If you choose to withdraw, you have the right to withdraw any information you have provided in the research project up until 01 June 2013. You have the right to ask the interviewer questions about the research project, and you are entitled to obtain a copy of the results.

Your privacy and confidentiality will be ensured at all times during and after the course of the research. The interviewer will keep your name and contact details in a locked file, to which only they have access. When writing notes, transcribing interview recordings, and discussing the project with colleagues, the interviewer will assign you a pseudonym/different name to ensure your anonymity. The interviewer may also change or omit other personal details if such factors have the potential to reveal your identity.

I have been informed of any and all possible risks or discomforts.

I have read the statements contained herein, have had the opportunity to fully discuss my concerns and questions, and fully understand the nature and character of my involvement in this research project as a human subject, and the attendant risks and consequences.

I give my permissions to audio tape this interview.

Signature 1 (Participant): ……………………………… Date:

Signature 2 (Researcher): ……………………………… Date:

Appendix 8: Information Sheet for Participants – Scotland

Information Sheet: Local and National Sources of Support and Information

Local:

- ✓ *Breathing Space Scotland – Counselling and Support*
  www.breathingspacescotland.co.uk / 0800 83 85 87

- ✓ *Edinburgh Women's Rape and Sexual Abuse Centre*
  www.ewrasac.org.uk/

- ✓ *Glasgow Rape Crisis Centre*
  www.rapecrisiscentre-glasgow.co.uk/

- ✓ *Rape and Abuse Line Scotland*
  rapeandabuseline.co.uk
  080 8800 0123 answered by women; **080 8800 0122** answered by men

- ✓ *Caledonia Youth – Sexual Health and Counselling Service*
  www.caledoniayouth.org

- ✓ *Health in Mind – Counselling and Support*
  www.health-in-mind.org.uk/

- ✓ *LGBT Youth Scotland* **and** *LGBT Health and Wellbeing*
  www.lgbtyouth.org.uk/ and www.lgbthealth.org.uk/

National:

- ✓ *Relate Counselling and Information*
  www.relate.org.uk/home/index.html

- ✓ *Counselling Directory*
  www.counselling-directory.org.uk

- ✓ *Samaritans – Free confidential listening service*
  www.samaritans.org / 08457 90 90 90

- ✓ *Terence Higgins Trust – Sexual health information*
  www.tht.org.uk

- ✓ **Survivors UK – Information and support for male survivors of rape and sexual assault**
  www.survivorsuk.org.uk / 0845 122 1201 (7-9:30pm Mon & Tues; 12-2:30pm Thurs)

Disclaimer: Neither Durham University nor the researcher are responsible for the organisations nor the content of the websites listed above.

Appendix 9. Information Sheet for Participants – England

Information Sheet: Local and National Sources of Support and Information

Local:

- ✓ **Tyneside Rape Crisis – Counselling and Information Service** (for women)
  www.tynesidercc.org.uk / 0800 0352794

- ✓ **Rape and Abuse Counselling Centre Darlington and Co. Durham** (for women)
  www.rsacc-thecentre.org.uk

- ✓ **JIGSAW – Counselling and support for male survivors of rape or sexual abuse**
  01642 822 331 (12-2pm Tues)

- ✓ **Streetwise North – Free confidential advice, support and counselling for young people**
  www.streetwisenorth.org.uk / 0191 230 5533

- ✓ **Gay Advice Darlington an Durham**
  www.gayadvicedarlington.co.uk

National:

- ✓ *Relate Counselling and Information*
  www.relate.org.uk/home/index.html

- ✓ *Counselling Directory*
  www.counselling-directory.org.uk

- ✓ *Samaritans – Free confidential listening service*
  www.samaritans.org / 08457 90 90 90

- ✓ *Terence Higgins Trust – Sexual health information*
  www.tht.org.uk

- ✓ **Survivors UK – Information and support for male survivors of rape and sexual assault**
  www.survivorsuk.org.uk / 0845 122 1201 (7-9:30pm Mon & Tues; 12-2:30pm Thurs)

Disclaimer: Neither Durham University nor the researcher are responsible for the organisations nor the content of the websites listed above.

Appendix 10: Interview Guide

Interview I: Definitions and Experiences

Introductions:

[Brief introductions and dialogue] If not already known, researcher asks participant how they heard about the research.

Purpose of Research and Interview Content

We're here today to discuss your views on and experiences of pornography. This interview will last between one and one-and-a-half hours. We'll begin by discussing how you might define pornography, and progress onto exploring your experiences of pornography and the pornography you have viewed. We'll do this through discussion and by constructing spectrums using the text-cards I'll show to you later in the interview. We'll finish with some feedback questions, and make arrangements for our second interview.

Informed Consent Forms and Questions

[Give Informed Consent Form to participant to read]

1. *Do you have any questions regarding the consent form or the research?*
2. *Are you happy for the interview to be sound recorded?*
3. *Have you thought of a pseudonym you'd like to be referred to as in the research?*

[Questions and responses; Informed Consent Form signed by both participant and researcher]

Motivation to Participate: *Could you tell me what drew you to participating in the research?*

Question 1a: *Could you give me some examples of what types of materials you think are and are not pornography?*

   Prompt: *What is it for you about an image, video, or text that makes it pornographic?*

   Prompt: *Do you think it makes a difference whether the sexually explicit images are videos or still images?*

   Prompt: *What about sexually explicit books or stories? Do you think these can be classified as pornography?*

Question 1b: *How would you define pornography?*

   Prompt: *Are there any words that come to mind when you think about what pornography is?*

   Prompt: *Could you tell me what has influenced your definition?*

   Prompt: *How do you think your definition compares to how your friends or peers might define pornography?*

Question 2 / Spectrum I: Pornography viewing habits and the production of sexually explicit materials

Here I am asking you to construct a spectrum about your pornography viewing habits, alongside what sexually explicit materials you have made yourself. (Place "Often" and "Never" category cards on table facing the participant, approximately 1.5 meters apart) Here are the two ends of the spectrum. I've prepared some cards with details of different activities involving sexually explicit materials. (Place pre-prepared text cards on table) I have also brought along some blank cards and pens for us to write down pornographic materials to place on the spectrum during our discussion. (Place blank text cards and pens on table). While discussing what activities you've been involved in, you're welcome to place the cards between the two ends of the spectrum. If the activity you're discussing is not yet on a card, please write it on a blank card and place it on the spectrum.

> **Prompt:** *Could I ask you whether you've watched porn alone, or with other people?*

> **Prompt:** *Have you ever made sexually explicit pictures or videos?*

> **Prompt:** *How old were you (and the other person/people involved) when you made/viewed that image/video?*

> **Prompt:** *How did you see the pictures or videos? Were they sent to your phone, sent by e-mail, did you view them on someone else's phone or computer, were they printed out on paper or posted on a website…?*

Question 3a / Spectrum II: *Would you mind if I asked you what types of pornography you view or have viewed?*

Again, while discussing this question, I am asking you to construct a spectrum. (Place "Often viewed" and "Never viewed" category cards on table facing the participant, approximately 1.5 meters apart) Here are the two ends of the spectrum. I've prepared some cards with details of common pornographic materials. (Place pre-prepared text cards on table) I have also brought along some blank cards and pens for us to write down pornographic materials to place on the spectrum during our discussion. (Place blank text cards and pens on table). While discussing what types of pornography you view, you're welcome to place the cards between the two ends of the spectrum. If the type of pornography you're discussing is not yet on a card, please write it on a blank card and place it on the spectrum.

> **Prompt:** *So, you could you tell me what types of pornography you view?*

> **Prompt:** *In what contexts would you view these types of pornography – alone, with friends, or with a partner?*

Question 3b: *What types of pornography would you not view?*

> **Prompt:** *What are the reasons for you not viewing these types of pornography?*

> **Prompt:** *Why would you not view these types of pornography compared to the types of materials you discussed previously?*

Question 4a: *Could you tell me about your first experience of pornography?*

   Prompt: *Could I ask you how old you were when you first viewed pornography?*

   Prompt: *How did you first hear about pornography?*

   Prompt: *What type of pornography did you view?*

   Prompt: *Did you view the pornography alone or with others?*

   Prompt: *Was the pornography on the internet, a magazine, a DVD…?*

Question 4b: *Could you tell me about your experiences of pornography whilst growing up?*

   Prompt: *What kinds of pornography did you view?*

   Prompt: *Do you feel that viewing pornography had an impact upon you? If so, what kind of impact?*

   Prompt: *How did viewing pornography make you feel about yourself and about others?*

Question 5a: *What do you think about the spectrums you made today? Did using them impact on your ability to explore the issues we discussed? If so, how?*

Question 5b: *What do you think could have been done differently? How would this have impacted upon you as a participant in a research project?*

Arrange date, time and place of Interview II

Provide participant with 'Information Sheet: Local and National Sources of Information and Support'

Interview II: Legal Regulation

Explanation of what the interview will involve:

In this interview we'll discuss issues surrounding the regulation of pornography. First, we will explore your views on what materials should be available and unavailable, criminalised and not criminalised. We'll do this through discussion and by constructing spectrums using text-cards, which you will remember from our previous interview. We will then discuss your views on the legal regulation of pornography, and we'll finish some feedback questions on the interviews. The interview will last between one and one-and-a-half hours.

Consent forms and questions

[Give Informed Consent Form to participant to read]

1. *Do you have any questions regarding the consent form or the research?*
2. *Are you happy for the interview to be sound recorded?*

[Questions and responses; Informed Consent Form signed by both participant and researcher]

Warm-up Question: *Have you had any thoughts about what we discussed in the previous interview?*

Question 6 / Spectrum III:

We'll being the interview with a discussion of what materials you think are currently criminalised in Scotland/England.

What pornographic materials do you think are and are not currently criminalised in Scotland/England? Why and in what contexts – production, distribution, possession?

While discussing these questions, I am asking you to construct a spectrum. (Place "Should be available/unrestricted" and "Should be unavailable/restricted" category cards on table facing the participant, approximately 1.5 meters apart) Here are the two ends of the spectrum. Here are some of the text-cards we used in the previous interview. (Place pre-prepared text cards on table) I have also brought along some blank cards and pens to write down pornographic materials to place on the spectrum during our discussion. (Place blank text cards and pens on table)

Question 7 / Spectrum IV: *What pornographic materials do you think should be criminalised and should not be criminalised? Why and in what contexts?*

Question 8 / Spectrum V: *What pornographic materials do you think should be available/unrestricted and unavailable/restricted? Why and in what contexts?*

Question 9:

[Introduction] Within the laws in England/Scotland, criminal offences surrounding pornography can fall into three different categories:

1. *Production: the act making or producing of pornography, which could apply to the directors, production companies, and actors involving in making pornographic materials.*
2. *Distribution: the act of distributing pornography, which could apply to the production companies who sell videos, the people or companies who upload materials onto websites, and the people or companies who sell DVDs and magazines to other people.*
3. *Possession: the act of possessing pornography, which could apply to people who have DVDs, magazines, or files downloaded from the internet onto the hard-drive of their computer.*

Question 9a: *What do you think about legally regulating pornography – as in, making it a criminal offence to produce, distribute, or possess certain types of pornography?*

> **Prompt:** *Do you think state should be able to regulate what kinds of pornographic materials people can view?*

> **Prompt:** *What about extreme or violent pornography? Do you think this should be legally regulated?*

Question 9b: *If you were responsible for writing the law and you decided to criminalise a certain type of pornography – for example, very violent pornographic materials – which of those four elements – production, distribution, possession, or viewing of these materials – would you make a criminal offence? What is your opinion about each offence/element?*

Prompt: *Does any one of these elements stand out as more serious than the other elements?*

Prompt: *What about the people producing [example][36] pornographic materials?*

Prompt: *What do you think about people who possess and view the [example] pornographic materials? Should they be punished?*

Prompt: *Do you think there is a difference between possessing the [example] pornographic materials, like on a computer hard drive for example, and viewing the [example] pornographic materials, such as streaming videos on an internet browser? Is one act more or less serious than another?*

Question 10: *If you knew or thought that possessing certain types of pornographic materials was a criminal offence would this make you more or less likely to view or possess these types of pornographic materials? Why and how?*

Prompt: *If a friend told you about or sent you pornographic materials and you knew or suspected that possessing these materials was a criminal offence, would you be deterred from or encouraged to view the materials?*

Prompt: *If you knew that possessing a certain type of pornography was a criminal offence, would this alter your opinion on that type of pornography?*

Prompt: *What do you think about the ability of the law to deter people from doing something, such as possessing extreme or violent pornography?*

Prompt: *If your peers knew or thought that possessing a certain type of pornography was a criminal offence, how do you think this would affect their choice of whether or not to view it?*

Question 11: *Parts of British law say that some types of pornography may "deprave", "corrupt", or harm people. What do you think about this? What do you think about this language?*

Prompt: *Do you think that pornography can harm people?*

Prompt: *What types of pornography? Why and how?*

Prompt: *Have you ever experienced or heard about pornography harming people? What happened?*

Question 12: *Some sexually explicit materials show cartoon characters – such as in Japanese Hentai pornography – and computer-generated people involved in sexually explicit activities. What do you think about these 'cartoon' and 'computer-generated' types of sexually explicit materials compared to sexually explicit materials involving 'real' people?*

Prompt: *Do you think there are differences between 'cartoon' and 'real' porn? If so, could you outline these differences?*

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[36] If, in the context of this question, a kind of pornography is specified by the participant, their term will be used here. If not, the research will use the example of "very violent" pornography as an example.

Prompt: *Have you heard about any sexually explicit animated materials or computer games? What do you think about these?*

(Repeat) Question 5a: *What do you think about the spectrums you made today? Did using them impact on your ability to explore the issues we discussed? If so, how?*

(Repeat) Question 5b: *What do you think could have been done differently? How would this have impacted upon you as a participant in a research project?*

Invite Participant to complete Demographics Form

Provide participant with 'Information Sheet: Local and National Sources of Information and Support' to participant

Any questions?

Appendix 11: Further Information on Pilot Interview Process

1. Purpose of Pilot Interviews

For this research, there were three main purposes to conducting the pilot interview process:

1. *Design*: To investigate whether the Interview Design was structured in a way that flows well in an empirical research context;
2. *Pitch*: To investigate whether the Interview Questions have clarity and are understandable for participants; and
3. *Style*: To investigate whether the interviews are delivered in such a way that cultivates dialogue and fosters an environment where participants feel at ease.

Beginning with the first purpose, the aim of the pilot process was to effectively test or 'try out' the Interview Design in practice, with a particular view to assessing whether the structure of the interview had a clear trajectory and the Interview Questions were arranged accordingly in such a way that participants could follow. As discussed above in the context of Simmons' (2001: 102) recommendations, drafts of the Interview Design and the Interview Questions were read by the researchers' academic supervisors and feedback was given, which the researcher used to further hone the empirical research design and questions prior to conducting the empirical research.

The second purpose of the pilot process was to ensure that both the Interview Questions and the Spectral Elicitation method were clear and understandable to the participants. In terms of the Interview Questions, the pilot process enabled the researcher the opportunity to verbally articulate the questions and to gain feedback from participants in terms of the clarity of the questions. As Davies (2007: 48) states, conducting a pilot interview process ensures 'the language and phraseology [the researcher] is using is language and phraseology that your targeted research subjects will understand and be able to relate to'. The pilot process also served to ensure that the Spectral Elicitation method was understandable to participants, both in terms of its purpose and function and in terms of whether the instructions and suggestions on constructing the Spectrums given to participants were clear and simple to follow.

The third purpose of the pilot interview process was to ensure the interview style, as in the manner in which the researcher delivered the interviews, effectively cultivated dialogue and fostered an environment where participants felt as ease and able to discuss their views and experiences. Through conducting pilot interviews, the researcher could ascertain whether the style of delivery achieved these goals through both self-reflection upon the interview experience and participants' feedback on their own experiences of the interviews.

2. Changes to Interview Design

The Table below outlines the amendments made to the Interview Design and structure, interview style, and the approach to arranging interviews with participants. Each amendment made to the Interview Design or approach is discussed in more detail in the Table below..

Amendments to Interview Design and Approach

Initial Design or Approach		Amendments
Type	Details	
Approach to Arranging Interviews	Interviews I and II arranged with participants on an interview-by-interview basis.	Interviews I and II pre-arranged with participants prior to commencing interviews.
Interview Design	Interview Questions on types of pornographic content viewed by young people (including Spectrum II: Types of Pornography Viewed) was initially before Interview Questions relating to self-produced	Spectrum II: Types of Pornography Viewed to be conducted following Spectrum I: The Production of Sexually Explicit Materials and Pornography Viewing Habits.

	sexually explicit materials and pornography viewing habits (including Spectrum I).	
Interview Style	Brief participants at the beginning of each interview regarding the content and structure of the interview.	Continue to brief participants at the beginning of each interview regarding content and structure. Hone active listening skills and be directive towards the planned content and structure if required.

In terms of the approach to arranging interviews, the empirical research was designed to involve two separate interviews. Accordingly, the pilot interviews were conducted using this structure, with Interview I and Interview II being conducted with each participant on separate occasions. What became apparent during this process was that it was essential to pre-book dates for both Interview I and II with the participants. While Interview II with Steve was conducted one week following Interview I, it became challenging to arrange Interview II with Willow as she was often out of the country. If the dates of both Interview I and Interview II had been pre-booked with Willow, this issue may have been avoided and Interview II could have been conducted shortly after Interview I.

As indicated in the above Table, amendments were made to the Interview Design as a result of the pilot interview process and the feedback from participants. Prior to the pilot process, the structure of Interview I placed the Interview Questions and related Spectrum regarding types of pornography viewed by participants *before* the Interview Questions and related Spectrum regarding self-produced sexually explicit materials and pornography viewing habits. This was a suggestion made by Willow during the feedback discussion at the end of Interview

I. While discussing the Spectrums as an interview method, Willow provided the following feedback:

"I thought it was a really interesting way of doing it. It makes you think, and it's good and visual as well - it's quite good for drawing things out […] I might suggest that – maybe, I don't know if you could do this – but do this one first and the other one second, just in terms of this one is much less loaded in a way, it's easier and it might build people up because by then, when you do the second one, it won't be the first time that the person's done the Spectrum and they'll be like 'Oh, this is familiar' but also, just in terms of… that one was harder for me because it's hard stuff to talk about, like all this sexual stuff coming at you, whereas this is like 'Oh right, yeah'…" – Willow

As Willow explains, in her experience of constructing the Spectrums and responding to the related Interview Questions, the content of Spectrum II – types of pornography viewed by young people – would have been better suited to being conducted later in Interview I as it refers to themes that are more challenging to discuss and thus required a placement in the interview that allowed participants to familiarise themselves with both the Spectral Elicitation method and the interview context. Following Willow's feedback, the Interview Design was amended accordingly to ensure participants were both familiar with the interview methods and context and the interview dialogue was opened up to an extent that the transition into discussing the types of pornography viewed by participants felt comfortable and flowed well in the context of the wider narrative of the interview.

In addition to amendments to the approach to arranging interviews and the Interview Design, the pilot process provided insights into the interview style as delivered by the researcher. It was with regards to this that Steve offered an insight into his experience of Interview I, which provided the researcher with heightened awareness of their interview delivery style. At the beginning of each interview, participants were briefed on the structure and content of the interview. During the feedback discussion at the end of Interview I, however, Steve discussed how there was a point during the interview – when discussing his initial experiences of pornography – where he felt unsure regarding the relevance of the matters he was discussing:

"I guess when I asked 'Is this relevant?', I felt like I was going off on a bit of a tangent, I guess either saying that it's okay for people to talk around the issues as they come up, because you're recording it, you don't have to be conscious of everything you're getting all the time, […] but I felt like I had that question because I didn't really know what was coming up next. You mentioned right at the beginning your first contact with porn, but you never explicitly asked me about my first contact with porn, it just sort of came up and I didn't know whether I was answering questions you would have asked if I hadn't told you those things or… […]

> INT: Yeah, so to reassure you that you weren't going off on a tangent – yeah totally. Perhaps if I say something like 'I was planning to ask you about that later in the interview, so go ahead' and maybe ask a question? I did have questions about first experiences of porn and as a teenager, but as you were speaking about that I said 'Yeah, totally carry on', but I should have indicated 'Yes, this is directly what I am planning to discuss with you'…

Yeah, just some reassurance that what they're saying is relevant and that those tangents are what would be [discussed anyway]…" – Steve

In Steve's experience of Interview I, he required reassurance from the researcher that the matters he was discussing were relevant to the research. Although he had been briefed at the beginning of Interview I as to the structure and content of the interview, Steve recommended that the researcher provide more reassurance to participants, particularly when participants have been speaking for some time on a given topic that was not explicitly raised at that time by the researcher. Steve's comments provided an insight into the experience of the participant (who is often discussing sensitive and personal matters with the researcher) and re-affirmed that the researcher must be active in their listening and directive if required.

Appendix 12: Overview of Young People's Perspectives on the Extent to which Materials should be Regulated

Type of Content	% of Participants			
	Should be Unavailable / Restricted		➡		Should be Available / Unrestricted
Necrophilia	82%	6%	6%	0	6%
Rape	77%	18%	0	0	6%
People and Animals	77%	6%	6%	6%	6%
Drunken / Taken Advantage Of*	53%	29%	0	6%	12%
Violent / Can Cause Injury*	47%	29%	12%	0	12%
Strangulation	41%	24%	18%	6%	12%
Choking	35%	18%	29%	6%	12%
Infantilisation	35%	29%	18%	6%	12%
Rape Fantasy*	29%	29%	14%	0	29%
Slapping	18%	29%	12%	6%	35%
Faeces and Vomit	12%	29%	18%	12%	29%
Urine	6%	24%	18%	12%	41%
Group Sex	6%	16%	6%	6%	76%
BDSM	6%	12%	24%	12%	47%
Fisting	6%	18%	18%	6%	53%
Spanking	0	6%	12%	0	82%
Double Penetration	0	6%	12%	0	82%
Hentai / Cartoons	0	6%	6%	6%	82%
Threesome: 1W2M	0	0	12%	6%	82%
Threesome: 1M2W	0	0	12%	0	88%
Depictions of Heterosexual, Gay, Lesbian and Transgender People	0	0	6%	6%	88%
Visible Ejaculation, Oral Sex, Anal Penetration and Solo Masturbation	0	0	6%	6%	88%

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