

Paedophilia on the Internet – a study of 33 convicted offenders in the Canton of Lucerne

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Summary

Background: The connection between the consumption of pornography and “contact-crimes” is unclear. The Internet has facilitated the mass consumption of pornography in general and specifically illegal pornography such as child-pornography. In 1999, the owners of “Landslide Production Inc.”, an international provider of child-pornography in the USA were arrested and the credit-card-numbers of their clients were put at the disposal of the law enforcement agencies of the countries concerned.

Methods: Roughly 1300 Swiss citizens were subsequently arrested in the course of the nationwide action “Genesis”. In the canton of Lucerne 33 men were identified. The police-files of these men were screened for psychosocial, criminological and psychosexual data.

Results: Most of these middle-aged men held comparatively elevated professional positions, only ten were married, eleven had never had an in-

imate relationship to a woman, and only thirteen of them had children. Only one of them had a relevant criminal record. The level of abuse depicted in the illegal material was high, all but one consumed pornography from other fields of sexual deviation. The personal statements of the offenders in general were hardly reliable, in three cases, however, the diagnosis of sexual deviation could be established from the files. The estimated time some of the offenders must have spent online in order to retrieve the material allows the diagnosis of Pathological Internet-Use.

Conclusions: Deviant sexual fantasies seem to be widespread also among men otherwise not registered for any offences. The consumption of even particularly disgusting material may not be a specific risk factor for “contact” crimes.

Key words: internet; child-pornography; paedophilia

Practice implications

Discussions about the connection between sexual violence in a narrow sense (contact crimes) and pornography are old. The increase in availability of illegal pornography facilitated by the Internet makes this problem even more relevant. Scientific knowledge about consumers of child-pornography is scarce. In this study we had the opportunity to analyse detailed police-files, including criminal records, of 33 convicted perpetrators

who had no previous criminal charges. This study permits statements concerning the sociodemographic, criminal and psychosexual background of the consumers of child pornography. The results suggest that the connection between consumption of even particularly repellent pornography and violent sexual acts is not as close as one might suspect.

Introduction

Background

Since the end of the sixties there have been attempts to investigate the link between pornography and sexually motivated violence. Laboratory

studies, mainly conducted in the eighties, support the notion, that there is in fact a causal relationship between pornography and violence against women [1, 2]. Large surveys in different countries,

however, failed to show a correlation between a liberalisation of laws concerning pornography and a rise in sexually motivated crimes [3] or, in the case of Japan, showed even a marked decrease of the incidence of rape [4].

The collecting and cataloguing of child-pornography seems to represent a characteristic behaviour pattern of paedophiles [5, 6]. Child-pornography may serve other purposes, such as seducing and blackmailing children, maintaining the contact with other paedophiles and last but not least as a source of profit [5, 7]. In spite of this knowledge specific laws against child-pornography were passed only in the late seventies / early eighties in some leading western countries [7].

Before the age of the Internet, the distribution and consumption of pornographic material was restricted to the more or less clandestine adult-book-shops or porn-cinemas. The spread of the Internet outside the professional world in private homes created a further medium of distribution [8]. Parallel to the changes in pornographic media, content also changed in that an increase in violence and misogyny could be found in magazines, on videotapes and on the Internet [9]. According to Cooper [10], fifteen million Internet-users visited one of the five largest "adult-websites" in one month in 1999. He introduced the term "triple-A-engine turbo-charge", meaning "affordability", "availability" and "anonymity" [11]. In a survey 8% of more than 9000 Internet-users admitted to spending between 11 and 80 hours per week for sexual purposes on the Internet. Women who used the Internet for sexual purposes tended to use chat-rooms [12]. Davis proposed the term "pathological Internet use" (PIU) according to the term "pathological gambling" for obsessive Internet-use [13], Orzack [14] developed a criteria-list for the diagnosis of computer/Internet-dependence (table 1).

The Genesis action

In Switzerland, as of April 1st 2002, the buying and/or acquiring of sexually explicit material depicting acts involving children, animals or violent

acts may be punished by a fine or imprisonment of up to one year (art. 197 fig. 3^{bis} p.c.).

In the summer of 2002, 1300 inhabitants of Switzerland who were customers of the illegal American provider of child pornography on the Internet, "Landslide Production Inc.", were identified. The owners of this firm, an American couple, had been arrested in 1999 and subsequently sentenced. It became apparent that Internet-users from 61 countries had visited the website more than 390,000 times. The users accessed the material by paying a monthly fee of 29.95 USD. Having reached the homepage of "Landslide Production Inc.", they had to fill in an electronic form asking for their particulars including name, address and credit card number.

The clients' particulars made it possible to assign the data to the respective countries. In August 2001, the Swiss Federal Police obtained the necessary information from the secretary-general of Interpol in Lyon to start a nationwide inquiry. The campaign was named "Genesis". Its implementation was left to the law enforcement agencies of the 26 cantons.

The responsibility of the inquiry in the Canton of Lucerne, a mixed urban-rural region with some 340,000 inhabitants, was assigned in August 2002 to the magistrate of the city of Lucerne. It is in the magistrate's competence to announce fines of up to 20,000 Swiss francs (13,000 Euro) and/or prison sentences of up to three months. More serious cases have to be transferred to the public prosecutor or a court.

The criminal police interrogated the suspects according to a particular scheme, which had been developed in co-ordination with the magistrate (but not with a forensic specialist). During the interrogation a specialist of the "digital evidence and support"-service of the police analysed the material. It became apparent, that some of the defendants had installed so-called "peer-to-peer" software (Kazaa, Bearshare, Gnutella, eDonky etc.). This technique allows the user immediate access to other users' data bases. In such a case, the question arose whether the defendant had also to be

Table 1

Computer/Internet-Addiction Disorder according to Orzack (2001).

Persistent and recurrent misuse of the computer is indicated by at least five of the following:

Experiences pleasure, gratification or relief while engaged in computer activities.
Preoccupation with computer activity, including thinking about the experience, making plans to return to the computer, surfing in the web, having newest and fastest hardware.
Needing to spend more and more time or money on computer activities to change mood.
Failure of repeated efforts to control these activities.
Restlessness, irritability or other dysphoric moods such as increase in tension when not engaged in computer activities.
Need to return to these activities to escape problems or relieve dysphoric mood.
Neglect of social, familial, educational or work obligations.
Lying to family members, therapists and others about the extent of time spent "on" the computer.
Actual or threatened loss of significant relationships, job, financial stability or educational opportunity because of computer usage.
Presence of physical signs such as carpal tunnel syndrome, backache, dry eyes, migraines, headaches, neglect of personal hygiene or eating irregularities.
Changes in sleep patterns.

charged with illegally putting at the disposal of others material described in art. 197 fig. 3 p.c. [15].

Aims of the study

Most of the scientific material referring to consumers of child-pornography concerns offenders, who obtained their material by traditional means such as magazines or videotapes and hence were ready to take considerable risks to provide themselves with the material [8]. From the experience with the Internet, however, we can assume that far more people fantasise about sex with children and use such imagery than previously thought.

Because of the swift implementation of the "Genesis" campaign after the change of the law concerning the possession of pornography in Switzerland, conviction of perpetrators occurred

who had up to this point probably no criminal record and had every reason to feel secure. It is, however, still unclear what relevance the consumption of illegal pornography has for other, so called "contact-offences" [8, 16]. Most of today's actuarial prognostic tools concerning sexual violence do not include items concerning use of pornography as risk factors [17]; the newest "RSVP" (The Risk for Sexual Violence Protocol) is no exception [18]. The aim of our study is to examine whether consumers of illegal child-pornography in the Internet share common features with convicted perpetrators of "contact-offences", for example below average IQ [19], poor professional status [20] and living a specific pattern of social relationships [5] or alternatively, if the easy availability of sexually explicit material might have seduced otherwise inconspicuous people to commit these offences.

Patients and methods

In the Canton of Lucerne, during "Genesis", 38 people were identified as having used "Landslide Production Inc." The files of 35 of them were accessible to us, the remainder was left to other cantons for prosecution. At the time of our investigation, all cases except one, who was abroad, had been dealt with and closed by the magistrate. On the hard disks of two suspects, no illegal material could be retrieved and they were thus acquitted. These two were excluded from our study leaving 33 cases for analysis, whom we shall refer to as offenders. As mentioned above, the interrogation-scheme had been established without consulting forensic experts. Hence, this is a retrospective study. The files were examined for the following parameters:

- sociodemographic variables like age, origin, home, profession, marital status and number of children.
- Criminological variables like motive, prior convictions,

insight concerning illegality and legal consequences.

- Psychosexual Variables: by assessing the pornographic material concerning the kind of deviant sexual activity depicted and the severity of the assaults on the children using the scale developed by Taylor & Quayle [8] (Table 2) in the material and analysing the referred biography of the offenders we tried to reach conclusions regarding a possible psychiatric disorder. Since our investigation started about one year after the first interrogations, some of the files already contained the reports of the therapists in those cases where the suspects had been given a treatment order.
- Time spent on illegal activities: we tried to estimate the approximate time expenditure for the acquisition of the illegal material counted in hours according to

Table 2

Qualitative taxonomy of different kinds of child-pornography according to Taylor & Quayle (2003).

Level	Name	Description of Picture Quality
01	Indicative	Non-erotic and non-sexualised pictures showing children in their underwear, swimming costumes, etc. From either commercial sources or family albums, pictures of children playing in normal settings, in which the context or organisation of pictures by the collector indicates inappropriateness.
02	Nudist	Pictures of naked or semi-naked children in appropriate nudist settings, and from legitimate sources.
03	Erotica	Surreptitiously taken photographs of children in play areas or other safe environments showing either underwear or varying degrees of nudity.
04	Posing	Deliberately posed pictures of fully clothed, partially clothed or naked children (where the amount, context and organisation suggest sexual interest).
05	Erotic posing	Deliberately posed pictures of fully clothed, partially clothed or naked children in sexualised or provocative poses.
06	Explicit erotic posing	Emphasising genital areas where the child is either naked, partially clothed or fully clothed.
07	Explicit sexual activity	Involves touching, mutual and self-masturbation, oral sex and intercourse by the child, not involving an adult.
08	Assault	Pictures of children being subject to a sexual assault, involving digital touching, involving an adult.
09	Gross assault	Grossly obscene pictures of sexual assault, involving penetrative sex, masturbation or oral sex involving an adult.
10	Sadistic/bestiality	a) Pictures showing a child being tied, bound, beaten, whipped or otherwise subject to something that implies pain. b) Pictures where an animal is involved in some form of sexual behaviour with a child.

the instructions of the IT-specialist of the police: the time registered refers to the amount of legally proven property of illegal pornography. The main expenditure of time clearly concerns the search for the material; to give an objective estimate of the time spent, however, is barely possible since this depends strongly on the specific skills of each offender. The IT-specialist estimated that the average consumer is able to retrieve, download, catalogue and save on a data-carrier such as CD-ROM, disk or ZIP drive four pictures or

two movie sequences per hour. The time span between the "Landslide"-case and the "Genesis"-campaign was three years. This is a long period in terms of IT and explains why many of the suspects in the meantime had got new PC's, exchanged their hard-disk or had overwritten old data. In fact, original "Landslide"-material was only found in very few cases, hence, most of the material reviewed must have been provided by other sources.

Results

Sociodemographic data

All offenders were male. Their mean age was 39.8 years (range 25–69 years). 17 offenders lived in the agglomeration of the City of Lucerne, 16 in Lucerne-county. Table 3 shows the remaining relevant sociodemographic data.

Criminological data

17 offenders answered, "yes" when asked whether they knew they had committed an offence, 15 answered, "no". One suspect, who is still abroad, could not be interrogated personally. Table 4 shows further relevant criminological data.

Offenders, who had used the offer of "Land-

slide" without downloading material had only to pay a fine thus bearing the costs of the investigation. Offenders whose collection of downloaded pornographic material had raised concern in quantitative or qualitative terms got a treatment order. One offender was thought to have put illegal pornographic material at the disposal of others using his "peer-to-peer"-device. His case was transferred to the criminal court.

Psychosexual data

Table 5 gives a qualitative analysis of the material registered in the files. The terms "sado-masochism", "sodomy" and "coprophilia" do not

Table 3

Relevant sociodemographic data of the 33 offenders.

Sociodemographic and anamnestic data	Number	%
<i>Origin</i>		
German	2	6
Italian	1	3
Spanish	1	3
Swiss	29	87
<i>Profession</i>		
Academic / Supervisor	11	33
Blue-collar worker	4	12
Employee	13	39
Self-employed	4	12
Unemployed	1	3
<i>Marital status</i>		
Divorced, separated or widowed without intimate partner	4	12
Girl-friend	1	3
Married	9	27
Unmarried without known intimate partner ever	11	33
Unmarried or divorced, but living in common-law marriage	8	24
<i>Children</i>		
Adult children	3	9
Infant	1	3
No children	20	60
One child	2	6
Two to three children	7	21

Table 4

Criminological data.

Motive, prior convictions and legal consequences	Number	%
<i>Motive</i>		
Boredom	3	9
Coincidence	3	9
Curiosity	17	51
Fascination	1	3
Indulging violence	1	3
Investigation	5	15
Sexual	2	6
Unclear	1	3
<i>Prior convictions</i>		
Fraud	1	3
Investigation enlarged	2	6
None	23	69
Pornography	4	12
Robbery, narcotic act	1	3
Traffic law	2	6
<i>Legal consequences (including treatment order)</i>		
Cessation	1	3
At large	1	3
Fine	4	12
Prison and fine	21	63
Prison, fine and treatment order	4	12
Transfer to court (and treatment order)	2	6

Table 5
Qualitative analysis of the material.

Class of pornography retrieved	Number	%
Paedophilia alone	14	42
Sadomaso alone	1	3
Paedophilia/Sadomaso	3	9
Paedophilia/Sodomy	3	9
Paedophilia/Sadomaso/Coprophilia	1	3
Paedophilia/Sadomaso/Sodomy	6	18
Paedophilia/Sodomy/Coprophilia	2	6
Paedophilia/Sadomaso/Sodomy/Coprophilia	3	9
Qualitative Assessment of the material according to Taylor & Quayle	Number	%
No child-pornography	1	3
Level unknown, since no data available in the files	3	9
Level 3: Erotica	3	9
Level 5: Erotic posing	1	3
Level 7: Explicit sexual activity	1	3
Level 9: Gross assault	15	45
Level 10: Sadistic/bestiality	9	27

refer to activities involving children. If children were involved in such acts, it was classified in “level 10” of Taylor and Quayle [8].

There were no hints for prior psychiatric treatment in the files. One offender, who accord-

ing to interviews with his relatives retrieved in his files seemed to be a paedophile, committed suicide. One offender who attempted suicide was transferred to a psychiatric clinic, another one expressed suicidal intentions and was referred to one of the authors for supportive treatment. The house search one offender revealed that as a pool attendant, he had clandestinely installed a video-recorder in the women’s changing rooms of the public swimming bath where he worked and had taken pictures of them while they were changing. He was charged with the violation of the intimacy of others by electronic means (art. 179^{quarter} p.c.). One offender, who had been already convicted of trafficking in pornography, used a video-camera to peep under the skirts of women in public places like restaurants and to take pictures. Since there were no victims to be identified, there was no further prosecution.

No statements were possible on how much time the offenders had spent in front of their PC to consume the material. For 25 an estimate could be made of the time needed to retrieve and download the material. The estimated range was from one to 1,320 hours. In 19 cases, the time spent was less than 100 hours.

Only seven of the offenders admitted they had masturbated whilst watching the pictures, but they did not say which ones. Their age ranged between 25 and 69 years.

Discussion

Our sample with only one unemployed person and a third of the offenders holding a superior profession or even an academic grade, differed from convicted perpetrators of sex crimes who showed in one study a below average Intelligence [19] or in another, 61% of a large sample had an annual income of less than 25 000 USD per year [20].

It is no surprise that there were no women among our sample: The almost complete lack of susceptibility of women to visual “erotica” or ordinary pornography seems to be the expression of a fundamental difference between the two sexes, the background of which might be explained by some sociobiological theories [21, 22].

The number of single men in our study is striking. Even more so is the fact that eight out of eleven men had had no known relationship to a woman, exclusively used child-pornography. Child molesters as a rule may be single even after the age of 25, may live alone or with their parents without any known intimate relationship to a grown-up woman in their past. In those who have relationships these may involve a strong, dominating, or a child-woman – in any case a woman without particular sexual needs [5]. In our sample of offenders, however, with the exception of one who is still at large, no evidence of serious crimes or “contact-offences” could be found in the files. Hence,

it seems that in accordance with Cooper’s “triple-A-engine turbo-charge” [11], the Internet facilitates rather a new kind of crime, namely the possession and consumption of illegal pornography, than that it is indicating a general deviant life style.

Even though the severity of the sexual assaults on the children was no surprise [23], the variety of sexual deviation depicted in the material retrieved was not expected, but is in accordance with Barron’s statements [9] about Internet-pornography in general. Most of the offenders’ subjective statements indicated that they spent many hours finding, downloading and watching this kind of pornography. Concerning motives, masturbation and insight are hardly credible and in accordance with the experience of Taylor and Quayle, who interviewed 13 convicted offenders still trying to show themselves in a good light [8]. The offenders’ statements concerning motive are interesting, with the term “research” being cited in five cases, which according to Lanning [5] is a typical excuse for the consumption of child-pornography.

Three offenders suffered unequivocally from a paraphiliac disorder – two from voyeurism, who used cameras to peep into changing rooms or under the skirts of passing women, and one (who committed suicide), who according to statements of relatives exhibited paedophilia. The two, who

had to be referred for psychiatric treatment and the case of suicide, demonstrate the psychosocial pressure situations into which identified offenders might manoeuvre themselves. The six offenders who received a treatment order because of the kind and amount of the material retrieved satisfied probably the criteria for PIU [13] or Internet-dependence [14], diagnoses, which are not yet defined by any of the official diagnostic manuals.

Conclusions

In the public mind, the “Genesis” campaign was conducted with the aim of fighting paedophiles; child-pornography and paedophilia have become inextricably linked with each other. In the case of consumers of illegal Internet-Pornography, this might quite often not be the case. The Internet has considerably enhanced the offer of pornographic material in qualitative and quantitative terms [24]. As our study demonstrated, the range of pornography offered and consumed on Internet largely exceeds the prevalence of sexual abuse of children.

The prevalence of deviant sexual wishes or traits in the general population is hard to estimate [25]; deviant fantasies, however, seem to be common [26, 27]. It was Sigmund Freud who stated that conclusions on their functioning in society can not be drawn from the nature of people’s sexual preferences alone, even though one might prefer to be able to explain a person’s behaviour as forming part of a psychotic state [28]. The individuals described in this study in general show a broad spectrum between rather good functioning in private and professional terms and obvious psychological suffering and/or professional failure; the private background of some (eg, no known intimate relationship, no children) would clearly warrant a closer look.

The “Genesis” campaign is certainly not the last of its kind. Hence, we suggest exploring these

specific features typical of paedophiles according to Lannigan [5]:

- family background: neglected as a child, sexually abused as a child
- spare-time activities in clubs and/or organisations, which facilitate the contact with children, such as boy scouts or sports-clubs
- unbalanced lifestyle with frequent changes of residence and place of work
- thorough account of intimate relationships
- evidence of sex-tourism: frequent trips to third-world or former socialist-countries [29, 30].

There is no doubt that the consumption of child-pornography on the Internet has to be considered as a crime; but even Taylor and Quayle, who have dedicated themselves to the fight against child-pornography by founding the COPINE-project (Combating Paedophile Information Networks in Europe), advise against an undifferentiated handling of child-pornography and particularly child-pornography on the Internet [17]. It should be remembered that even the offences of those whose cases had to be transferred to court did not involve any “contact offences”. The intensified struggle against Internet-pornography will result in more convictions and more treatment-orders. This is an excellent chance to study this specific kind of offenders, but also the role of deviant sexual fantasies in general.

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