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Pachatelé komerčního sexuálního zneužívání dětí

Offenders of commercial sexual exploitation of child

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Summary

The research Offenders of commercial sexual exploitation of child was executed in line with the Medium-term plan of research tasks of IKSP (Institute for Criminology and Social Prevention), which was approved by the Minister of Justice on 7 May 2008 (Ref. No. 5/2008-OANA-SP/13). The research task was assigned to IKSP by the Plan of fight against commercial sexual exploitation of child for 2006-2008 ("To prepare and initiate research focused on typology of offenders of commercial sexual exploitation of children"). The works started in 2007 when the project was presented; the main partial tasks of the set schedule were carried out in 2008-2009. The final report was published at the end of 2009. The solver in charge of the research task was Ms. Šárka Blatníková, PhD.

The subject matter of interest was the sphere of sexual violence against children (CSEC - commercial sexual exploitation children) and the personality of offenders of commercial sexual child exploitation. The target was to map the problems of commercial sexual exploitation of children in the Czech Republic while using official statistical data, make a knowledge (theoretic) basis, collect and analyse data on the typology of offenders of CSEC. The implemented research investigation had an explorative character- i.e. it was aimed at a description and orientation in the problems (quantitative mapping research); it did not concern testing of hypotheses. The focus of the research plan was a description of phenomena. The final report was rather a socially psychological commentary to the problems and the study is determined for interested entities, experts within the system of criminal environment where this criminal behaviour may be encountered, and for experts from assisting professions that primarily focus on aid to victims.

For the needs of the study we used an internationally applicable definition adopted at the so-called Stockholm Congress in 1996. Commercial sexual exploitation of children (CSEC) is "any use of a child for sexual purposes in exchange for money or remuneration in kind; it is an exchange in which one or more parties gain benefit. The decisive criterion that profiles sexual abuse as commercial is the mercenary motive of sexual abuse. Exploitation, abuse, molestation or "economic use" of children for sexual purposes is criminal behaviour that reduces, humiliates and endangers physical, mental and social integrity of children.

Based on this definition sexual abuse of children includes: child prostitution, child pornography and child trafficking. The Czech criminal law does not contain the term commercial sexual exploitation; the character of criminal behaviour can only be registered within particular bodies of crime.

The introductory part of the text includes information about methodology and course of solution of the problem; it defines the basic terms and criteria, data on the research file and information about the limits encountered throughout the research. In the research we used methods and techniques such as an analysis of documents (specialist criminological and psychological publications, resort documents, statistical lists of the Ministry of Justice and the Czech Police), techniques of descriptive statistics and standardised psycho-diagnostic methods (MMPI-2 and PSSI).

Commercial sexual exploitation of child falls under the complex area of child abuse and therefore it cannot be separated from the problems of child sexual abuse (CSA) and child battering, abuse and neglect (CAN). Therefore the general introduction (theoretical input)

briefly refers to these phenomena. The next part defines CSEC, adds notes on the currently discussed causes of growth of this phenomenon and introduces names of the key international documents and links to data sources.

The chapter devoted to statistical data (crimes and offenders (convicted or investigated) persons CSEC) in the Czech Republic draws on the records of the Czech Police, Ministry of Justice or data of the General Directorate of Prison Service. In the examined period (2005 until the first half of 2009) we identified 389 persons who had been convicted in relation to commercial sexual child exploitation (within this period courts sent criminal lists in respect of convicted persons that contained selected crimes corresponding with the definition of commercial sexual abuse).

The next chapter presents existing typologies, arguments and various concepts of offenders of child sexual abuse and typologies of offenders of commercial child sexual abuse/exploitation. Child sex exploiters differ from offenders of child sexual abuse in that the act of abuse is realised by a third person (i.e. another offender) or based on an “agreement” with the child who provides his/her sexual services in return for payment.

The following chapters provide information on particular forms of CSEC – child pornography (any image of a child participating in a real or pretended explicit sexual activity regardless of the nature of the image; and any image of sexual organs of a child primarily determined for sexual purposes), child prostitution (exploitation of children for sexual activities in return for payment or another consideration) and child trafficking (any transaction based on which a child is handed by a person or a group of persons over to another person or a group of persons in return for payment or another consideration). The chapter contains a brief input from a document analysis (criminal judicial files of CSEC offenders or statistical criminal lists).

The last chapter provides information on the field survey, which was focused on mapping of personality traits of a exploiters that had been unconditionally committed to prison. We performed a psycho-diagnostic examination (research file n=31 persons), used personality questionnaires MMPI-2 and PSSI and interpreted the results in the text. We identified anti-social features of personality, i.e. CSEC offenders expect that other people lie, reject authority, blame other people for their own problems, manipulate and are egocentric. We also identified insufficient control of behaviour by means of reality (based on a feedback), submissiveness in interpersonal relations and low social responsibility. We further identified a disposition to have generally negative feelings, tendency to pessimism, low performance and tendency to somatic complaints. CSEC offenders within our research file had the ability to adequately control their hostility. We traced the so-called critical style of personality and negativistic (passive-aggressive) personality disorder that refers to an uncritical approach, passive resistance to various requirements (e.g. putting off to “another time”, lingering, “forgetting”) and negativistic symptoms – such as negative understanding of well-intentioned advice. There is a problematic confrontation with authority especially when the concerned persons should subordinate; they have a calm or even phlegmatic temperament. In their behaviour they give the impression of indifference to the events of the external world. Passive-aggressive or negativistic disorder: the person is generally passive, even in situations when we usually expect an activity (e.g. instruction of superiors). The appendices present additional texts, such as the wording of selected crimes that were profiled as child commercial sexual exploitation and a list of crimes that are to come to force with the new Criminal Code in January 2010.

Translated by: I.T.C. Jan Žižka