

## Punishment Analysis of Cyber Pornography in the Iranian Criminal Justice System

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### Abstract

Today, pornographies are one of the fundamental challenges in cyberspace that have caused a serious threat to the security of that space. In the aftermath of this threat, the legislator has criminalized and punished pornography in cyberspace. Accordingly, it seems necessary to analyze the punishments the legislator has considered for this phenomenon. The responses the legislator makes to a variety of pornographers are according to the government-official model. Now, regarding the government's responses in the form of punishments such as imprisonment, flogging and execution, it is important to evaluate its punishment. The present paper analyzes the computer pornography punishment by analytic-descriptive method and emphasizing on the Iranian criminal justice system.

**Keywords:** cyber pornography, punishment, government responses, criminal law

### 1. Introduction

According to the religious and social criteria of the Iranian-Islamic society, the legislator has criminalized computer pornography, banned all of its instances and forms, and considered government responses to its perpetrators in the form of punishment (Eskandar Zadeh Shanjani, 2013, p. 89). In the aftermath of criminalization and punishment of computer pornography, these questions come to mind whether the legislator has followed a uniform approach to punishment in different laws. When a behavior is criminalized in criminal law, there will be also a subsequent punishment by the legislator. Now, is computer pornography punishment consistent with the principles and objectives of punishments? What are the responses adopted to computer pornography? The present paper is intended to answer these questions and if these questions are reasonably answered, many of the challenges and dilemmas of "computer pornography in the Iranian legal system" will be resolved. The structure of this paper is formulated in five general chapters. The first chapter analyzes the punishment of ordinary pornographers; the second, third, and fourth chapters respectively criticize and measure the punishment of professional and organized pornographers and the corrupt on the earth.

### 2. Chapter One: Punishment of Ordinary Pornographers

According to article 14 of the Cybercrime Law, the following punishments have been predicted for behaviors related to vulgar or pornographic content. The following cases are based on the subject of pornography crime that is criminalized based on the vulgar or pornographic contents, as well as how many people they are sent to or whether they are sent to less than ten or more than ten people:

The first case: for conditional blamable behaviors (production, storage and maintenance) and definitive blamable behaviors (propagation, distribution and trading) whose content is pornographic, the delinquent is condemned to from ninety-one days up to two years or a fine of five million Rials to forty million Rials or both punishments. In other words, in this case the delinquent of the pornography crime is sentenced to "level six punishment".

# Pornography And The Criminal Justice System

**Dr Clare S. Allely**



## **Pornography And The Criminal Justice System:**

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**Child Pornography and the Criminal Justice System** Ian O'Donnell, Claire Milner, 2006

**Caught in the Web of the Criminal Justice System** Lawrence A. Dubin, J.D., Emily Horowitz, Ph.D., 2017-06-21 Arguing for reform in the judicial treatment of people convicted of sex offenses this book examines how sentencing policies are based on emotion rather than research Using the lens of harsh sex offense prosecutions of those with developmental disabilities this book highlights the hysteria underlying our approach to sex offenses

**The Impact of Pornography Upon Selected Segments of the Criminal Justice System in Los Angeles, California** William H. Gailey, 1977 The current study focused upon the permissive attitude of society toward obscenity the proliferation of obscene matter attracting organized crime factions and the impact of each upon selected segments of the criminal justice system in Los Angeles The purpose of this study was to examine and describe the impact of pornography and identified organized crime factions upon the criminal justice system in Los Angeles Additionally this study will deal with examining describing and evaluating the perplexing problems encountered by law enforcement created by what appears to be archaic ineffective obscenity statutes reluctant City Attorney prosecutorial staff purported public apathy and their subsequent relationship to society at large from introduction

**Sexting and Revenge Pornography** Andy Phippen, Maggie Brennan, 2020-12-06 This book considers the rapidly evolving both legally and socially nature of image based abuse for both minors and adults Drawing mainly from UK data legislation and case studies it presents a thesis that the law is at best struggling to keep up with some fundamental issues around image based abuse such as the sexual nature of the crimes and the long term impact on victims and at worst in the case of supporting minors not fit for purpose It shows through empirical and legislative analysis that the dearth of education around this topic coupled with cultural norms creates a victim blaming culture that extends into adulthood It proposes both legislative developments and need for wider stakeholder engagement to understand and support victims and the impact the non consensual sharing of intimate images can have on their long term mental health and life in general The book is of interest to scholar of law criminology sociology police and socio technical studies and is also to those who practice law law enforcement or wider social care role in both child and adult safeguarding

Internet Child Pornography and the

Law Yaman Akdeniz,2016-05-23 This book provides a critical assessment of the problem of internet child pornography and its governance through legal and non legal means including a comparative assessment of laws in England and Wales the United States of America and Canada in recognition that governments have a compelling interest to protect children from sexual abuse and exploitation The internet raises novel and complex challenges to existing regulatory regimes Efforts towards legal harmonization at the European Union Council of Europe and United Nations level are examined in this context and the utility of additional and alternative methods of regulation explored This book argues that effective implementation enforcement and harmonization of laws could substantially help to reduce the availability and dissemination of child pornography on the internet At the same time panic led policies must be avoided if the wider problems of child sexual abuse and commercial sexual exploitation are to be meaningfully addressed **Gender, Judging and the Courts in Africa** J. Jarpa

Dawuni,2021-11-29 Women judges are playing increasingly prominent roles in many African judiciaries yet there remains very little comparative research on the subject Drawing on extensive cross national data and theoretical and empirical analysis this book provides a timely and broad ranging assessment of gender and judging in African judiciaries Employing different theoretical approaches the book investigates how women have fared within domestic African judiciaries as both actors and litigants It explores how women negotiate multiple hierarchies to access the judiciary and how gender related issues are handled in courts The chapters in the book provide policy theoretical and practical prescriptions to the challenges identified and offer recommendations for the future directions of gender and judging in the post COVID 19 era including the role of technology artificial intelligence social media and institutional transformations that can help promote women s rights Bringing together specific cases from Kenya Uganda Ghana Nigeria Zambia Tanzania and South Africa and regional bodies such as ECOWAS and the African Commission on Human and Peoples Rights and covering a broad range of thematic reflections this book will be of interest to scholars students and practitioners of African law judicial politics judicial training and gender studies It will also be useful to bilateral and multilateral donor institutions financing gender sensitive judicial reform programs particularly in Africa The Open Access version of this book available at [www.taylorfrancis.com/books/oa-edit/10-4324/9780429327865/gender-judging-courts-africa](http://www.taylorfrancis.com/books/oa-edit/10-4324/9780429327865/gender-judging-courts-africa) jarpa dawuni has been made available under a Creative Commons Attribution Non Commercial No Derivatives 4.0 license Child Pornography Eva J. Klain,Heather J. Davies,Molly A.

Hicks,2001 **Autism Spectrum Disorder in the Criminal Justice System** Dr Clare S. Allely,2022-04-11 This book focuses on autism spectrum disorder ASD in the criminal justice system Rather than being the perpetrators of offending behaviour individuals with ASD are more likely to be the victims of crime However there is nevertheless a small subset of individuals with ASD who do offend and this book provides an in depth understanding of how certain features of ASD may provide the context of vulnerability to engaging in a number of types of offending behaviours Chapters focus on arson or fire setting cybercrime e.g. hacking online sexual offending such as the viewing of indecent child imagery offline sexual offending

violent crime stalking terroristic behaviour including radicalisation and extremism bestiality or zoophilia and also extreme violence such as mass shooting and serial homicide This book also outlines the ways in which a defendant with ASD may present in court and how they may exhibit behaviour which could be misinterpreted and perceived negatively leading to an unfair trial Lastly it discusses the need to identify the impact that ASD can have on the capacity to form the requisite criminal intent and offers appropriate court adaptations to support individuals with ASD during court proceedings This book is ideal for criminal defence lawyers and practitioners in psychology psychiatry and social work as well as policy makers and reformers

Sexual Victimization Tara N. Richards, Catherine D. Marcum, 2014-02-13 Sexual Victimization Then and Now provides scholars easy access to information that specifically examines the continuum of sex crimes and the perception of victims by our criminal justice system and society as a whole This text features contributions from well known researchers in the field and serves as an important resource to provide scholars with up to date research on sexual victimization that will educate students on this complex and evolving challenge for the criminal justice system The authors approach the concept by examining how the criminal justice system handles sexual victimization the association between individuals in a relationship and sexual assault and unusual and special issues associated with contemporary sexual victimization By discussing these issues the theoretical explanations for these crimes and the effectiveness of the policy that has been applied will effectively link the criminological areas of theory research and policy

Psychoanalysis in the Technoculture Era Alessandra Lemma, Luigi Caparrotta, 2013-07-18 Alessandra Lemma Winner of the Levy Goldfarb Award for Child Psychoanalysis By now the internet and other forms of virtual communication have been in place for at least twenty years However surprisingly little has been written about the use of new technologies in the psychoanalytical literature As such Psychoanalysis in the Technoculture Era is a timely exposition on the subject of both virtual and analytic space Bringing together the work of several psychoanalysts the Editors Alessandra Lemma and Luigi Caparrotta illustrate how new technologies have become an integral part of our everyday lives and how they have silently and subtly permeated the psychoanalytic setting The contributors explore how new technologies have affected psychoanalytic practice and discuss the advantages and disadvantages of its use Psychoanalysis in the Technoculture Era unravels some of the meanings of virtual world terms and opens this field to greater scrutiny stimulating and promoting discussion about new technologies in psychoanalytic practice This book will be of interest to the psychoanalytic community including psychotherapy professionals psychoanalysts post graduate graduate and undergraduate students

**Adolescent Sexual Behavior in the Digital Age** Fabian M.

Saleh, Albert Grudzinskas (Jr.), Abigail Judge, 2014 The nexus between the digital revolution and adolescent sexual behavior has posed significant challenges to mental health practitioners attorneys and educators These digital technologies may facilitate dangerous behaviors and serious consequences for some youth Adolescent Sexual Development in the Digital Age considers adolescent sexual behavior in both clinical and legal contexts and provides a basis for clinicians legal professionals

educators policy makers parents and the general public to understand the impact that technology has on human growth and development The book s contributing authors are leading authorities in adolescent development law and ethics fostering an interdisciplinary dialogue within the text New technology poses many opportunities for both normal and risky sexual behavior in youth including sexting social networking cyber sexual harassment commercial exploitation of children and child pornography Beyond just cataloging the various technologies impacting sexual behavior this volume offers guidance and strategies for addressing the issues created by the digital age

*Politics According to the Bible* Wayne A. Grudem,2010 Should Christians be involved in political issues This comprehensive and readable book presents a political philosophy from the perspective that the Gospel pertains to all of life including politics Politics According to the Bible is an in depth analysis of conservative and liberal plans to do good for the nation evaluated in light of the Bible and common sense Evangelical Bible professor and author of the bestselling book Systematic Theology Wayne Grudem unpacks and rejects five common views about Christian influence on politics compel religion exclude religion all government is demonic do evangelism not politics and do politics not evangelism Instead he defends a position of significant Christian influence on government and explains the Bible s teachings about the purpose of civil government and the characteristics of good or bad governments Grudem provides a thoughtful analysis of over fifty specific and current political issues dealing with The protection of life Marriage the family and children Economic issues and taxation The environment National defense Relationships to other nations Freedom of speech and religion Quotas And special interests Throughout this book he makes frequent application to the current policies of the Democratic and Republican parties in the United States but the principles discussed here are relevant for any nation

The Link between Specific Forms of Online and Offline Victimization Shelly L. Clevenger,Catherine D. Marcum,2023-09-06 This book features the empirical work of internationally known scholars providing an in depth examination of the overlap between online and offline victimization and offending The vast expanse of the Internet has provided a limitless playground for offenders to prey on those unaware of their predators or well as those who are intimately familiar with their offenders However the Internet does not isolate offenders into mutually exclusive categories Instead it has allowed many offenders to use both offline and online platforms to commit crime It also opened up more opportunity for violation of victims This volume features two divisions of the American Society of Criminology the Division of Victimology and Division of Cybercrime who have joined forces to sponsor a special issue on the overlap between forms of online and offline victimization and offending International scholars in this book provide a notable spectrum of different forms of this phenomenon as well as predictors of these behaviors The Link between Specific Forms of Online and Offline Victimization will be a key resource for academics researchers and advanced students of Victimology Cybercrime Criminology and Criminal Justice The chapters included in this book were originally published in Victims Offenders

Censorship and Silencing Robert Post,1998 Censorship was once a predictable topic dividing liberals and conservatives down the middle on issues like

obscenity and national security Today the debate over the regulation of speech offers no such easy dichotomy with feminists joining forces with religious fundamentalists to control pornography and abortion rights advocates seeking to restrict clinic demonstrations while prolife groups defend their freedom to picket Underlying this trend is a fundamental intellectual shift exemplified by the work of Michel Foucault that holds that the state is not the only agent of censorship The thirteen contributors here explore the topic of censorship from the viewpoint of numerous disciplines and viewpoints

Violence against Women in Pornography Walter DeKeseredy, Marilyn Corsianos, 2015-11-19 Violence against Women in Pornography illuminates the ways in which adult pornography hurts many women both on and off screen A growing body of social scientific knowledge shows that it is strongly associated with various types of violence against women in intimate relationships Many women who try to leave abusive and or patriarchal men also report that pornography plays a role in the abuse inflicted on them by their ex partners On top of these harms male pornography consumption is strongly correlated with attitudes supporting violence against women Many researchers practitioners and policy makers believe that adult pornography is a major problem and offer substantial evidence supporting this claim Violence against Women in Pornography unlike books written mainly for scholarly and general audiences specifically targets students enrolled in undergraduate criminology deviance women s studies masculinities studies human sexuality and media studies courses Thoughtful discussion questions are placed at the end of each chapter and appropriate PowerPoint slides and suggestions for classroom exercises will be available to aid student understanding The main objective of this book is to motivate readers to think critically about adult pornography and to take progressive steps individually and collectively to curb the production and consumption of hurtful sexual media including that from the dark side of the Internet

The Rise of Extreme Porn Alexandros K. Antoniou, Dimitris Akrivos, 2017-02-13 This book analyses the criminalisation of the possession of extreme pornography through ss 63 68 of the Criminal Justice and Immigration Act 2008 It documents the legislative history of the offence and offers a criminological perspective on the role of the media in the construction of the extreme pornography problem It evaluates the elements of the s 63 offence and critically reflects upon their weaknesses Moreover the book presents an up to date account of the number of prosecutions initiated and convictions obtained under s 63 since it came into force alongside an exploration into the corresponding sentencing trends The first study of its kind in England and Wales since the controversial legal provisions at issue came into effect in 2009 this book contributes new evidence to the application of the extreme pornography provisions and will play an important role in shaping debates on the prosecution of similar offences in the coming years This book will serve as an invaluable resource to all those with an interest in law criminology sociology of deviance sexuality and pornography studies

**The Praeger Handbook of Victimology** Janet K. Wilson, 2009-08-25 This work is the first interdisciplinary compilation of entries related to the crime victim to encompass the breadth of the 70 year old discipline of victimology The Praeger Handbook of Victimology is the first full scale reference to

encompass the full scope of the discipline of victim studies marking its evolution from an initial focus on homicide child abuse sexual assault and domestic violence to a more wide ranging modern interpretation that includes hate crimes terrorism and cyber crimes such as online bullying stalking and identity theft The Praeger Handbook of Victimology offers an up to date portrait of its field including the latest research from criminal justice studies feminist studies and other disciplines as well as the changing views of the victim from law enforcement and the public at large The nearly 200 alphabetically organized entries cover everything from terminology unique to the field to victimizations relative to specific crimes to the extension of crime victim rights and victim interactions with the criminal justice system Victims advocates legal professionals students researchers or anyone fascinated by the impact of crime on society will find this a uniquely informative resource

Organized Crime United States. National Advisory Committee on Criminal Justice Standards and Goals. Task Force on Organized Crime, 1976 Standards designed for adoption at the state and local levels for the purpose of preventing and reducing organized crime in America are presented in this comprehensive report The standards recommended in this report were formulated to assist all sectors of the community as well as the agencies of state and local governments As a unit these standards constitute a comprehensive plan for the prevention and control of organized criminal activity in this country Following the introductory remarks a brief history of organized criminal activity in the united states a description of the general characteristics of organized crime and the results of a study of the various ways state and local governments have dealt with the problem are presented Part 3 of this report presents standards to guide state and local governments officials of the criminal justice system and private citizens in the design and implementation of programs to combat organized criminal operations These standards are based on successful models operating in the states or on concepts that the task force and the national advisory committee considered necessary for effective prevention and control of organized crime Proposals for state and local administrative and regulatory agencies to participate in organized crime control programs to the fullest extent of their statutory authority are contained in chapter 4 The standards in chapters 5 through 8 recommend specific policies law enforcement mechanisms prosecutorial tools and legal procedures for adoption by the criminal justice system The standards in chapter 9 recommend that appropriate training programs in organized crime control be instituted for all levels of the criminal justice system General educational programs for the private sector are also recommended



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