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Sharon Kelley, Psy.D.
Sand Ridge Secure Treatment Center
Madison, WI, United States
E: sharonmkelley@gmail.com
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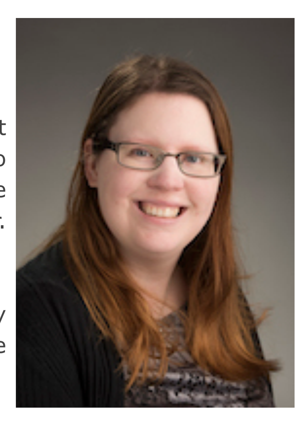
FEATURED ARTICLES

Recidivism Rates of Men Charged/Convicted of Child Pornography Offences

by L. Maaike Helmus, Ph.D.



Note on Terminology

The term for images of child sexual abuse varies across country and jurisdiction, and academics have favoured differed terms at different times (e.g., "child sexual exploitation material" is a commonly used term). For simplicity, I will use the term "child pornography" (CP) to refer to this material. Research on CP comes from numerous countries and states. Although the legal definitions vary across these jurisdictions (e.g., inclusion or exclusion of written fictional material), the laws tend to include substantively similar behavior. Consequently, it is reasonably safe to assume a high degree of generalizability in the behaviour captured across these research studies.

In this report, I will use the term "CP only" to refer to individuals whose only sex offence charge or conviction is for CP offences. They may or may not also have non-sexual offences in their criminal record. Individuals who have CP offences AND contact sex offences will be referred to as "CP+contact."

Risk of Recidivism for Men Charged or Convicted of Child Pornography Offences

This is a rapidly increasing research area in the last decade or so, and the research thus far has demonstrated that men whose sole sexual convictions are for possession of child pornography comprise a meaningfully different subgroup than men who have convictions for contact offences (for reviews and meta-analyses, see Babchishin et al., 2015, 2018; Henshaw et al., 2020; Seto et al., 2011).

Summarizing the recidivism risk of men with CP offences is tricky because sexual recidivism rates differ based on the type of recidivism (e.g., any sexual, contact sexual, CP recidivism), and they also tend to vary considerably across diverse samples and settings in ways that cannot easily be explained by follow-up length or expansiveness of the recidivism definition (e.g., arrests, charges, convictions; for review, see Helmus, 2018). Complicating things further is that the CP research literature is inconsistent in separating out CP-only and CP+Contact groups. Consequently, determining an exact absolute recidivism rate with confidence is difficult. Instead, the research literature can provide useful information about general patterns and group comparisons. To reduce the variability at least somewhat, the Static-99R recidivism rates calculator (from Thornton et al., 2021; available online at www.saarna.org) was used to estimate the 5-year recidivism rate from all the available studies in order to standardize the follow-up.

The table below summarizes the research literature on sexual recidivism with CP samples. There are 20 distinct samples. Where available, subgroups were reported (e.g., CP Only vs CP+Contact), as well as comparison groups of other justice-involved individuals without CP offences (e.g., those with contact offences against children, or non-sexual offences). Numerous studies from the United Kingdom (reporting on different groups and outcomes) substantially overlap in their sample composition and were combined together in a single sample. There is some risk of trivial amounts of overlap in participants between Pilon (2016) and Eke et al. (2019), but it should not be substantial, so they were treated as separate samples. A few studies mentioned in other research documents were omitted for the following reasons:

- Seto & Eke (2005) is subsumed within Eke et al. (2011)
- Osborn et al. (2010) and Webb et al. (2007) are subsumed in the data reported for the U.K. study.

The Table below is particularly helpful for comparisons within the same study (using the same methodology and follow-up) of recidivism rates for different groups and outcomes. As a broad summary of recidivism rates, the table below also combines the different CP groups for each recidivism outcome. This provides a useful summary on average, but note the cells contain slightly different combinations of studies that vary in methodology and follow-up. And some studies contribute to multiple cells in the table below. For example, a single study may have presented data for the overall CP group, as well as a breakdown for those with and without contact sex offences. For the undifferentiated CP group summary, if a study presented subgroups based on the presence of a contact sex offence, both groups were combined for this analysis.

For the undifferentiated group of men with CP offences (between 15 and 17 studies were available, depending on the outcome) the overall estimated 5-year sexual recidivism rate was 5.5%. Looking at specific outcomes, CP recidivism is about as likely (2.7%) as contact sexual recidivism (2.8%). However, distinguishing between CP Only and CP+Contact groups is crucial. For men with CP-only sexual offences, sexual recidivism rates were 3.9% on average, with roughly a 4.8% CP recidivism rate and only 1.4% reoffending with a contact sexual offence. The reason the CP recidivism rate is higher than the overall sexual recidivism rate is because different studies have contributed to each of these estimates; what is most relevant is that CP recidivism is much more likely than contact sexual offences. In contrast, the recidivism rates are much higher for the smaller group of men with both CP and contact offences: 10.0% any sexual recidivism, 3.4% contact sexual recidivism, and a CP recidivism rate of 1.1%. One reason the CP recidivism rate may be unusually low is because almost all of these data come from the U.K. sample, which overall had among the lowest recidivism rates compared to the other studies.

Drawing comparisons to individuals with offline sexual offences is complicated. The summary is heavily weighted towards the U.K. study, which has particularly low recidivism rates. Broadly speaking, amalgamating 20 samples of men charged or convicted for sexually motivated offences, Hanson et al. (2018) found sexual recidivism rates of 9.1% at 5 years and 13.3% at 10 years. In the summary table below, when you can distinguish between types of sexual recidivism and subgroups within the same sample, the results consistently indicate that men with offline sex offences have higher rates of contact sexual recidivism than men with CP offences (defined either broadly or as the CP Only group), but lower rates of CP recidivism (Faust et al., 2015; Jung et al., 2013; Pilon, 2016; Howard et al., 2014).

Conclusions

Sexual recidivism rates (defined as new charges or convictions) among men with a sexual offence history are generally low (e.g., 9% after 5 years; Hanson et al., 2018). Determining the recidivism rate of men with CP offences is complicated by varying group definitions as well as general patterns of inconsistent recidivism rates across different samples and settings (Helmus, 2018). Nonetheless, some patterns can be discerned based on this research summary. On average, men with CP offences appear lower risk to sexually reoffend. However, when you disaggregate those with and without a history of contact sexual offences in addition to their CP offending, it is the CP only group who are particularly low risk (CP+Contact are a small subset of higher risk individuals). Furthermore, men whose only sexual offences are for CP are more likely to reoffend with a CP offence rather than a contact sexual offence. Rates of contact sexual recidivism are extremely low (1.5%) among men whose only sexual offences are CP.

Table 1. List of Child Pornography (CP) Recidivism Studies

										Estimated 5-year Rates		
							Any Sexual Recid	Contact Sexual Recid	CP Recid	Any Sexual Recid	Contact Sexual Recid	CP Recid
Study	Country	Sample Timeframe	Recid Criteria	Mean Follow-Up (Yrs)	Sample	N	%	%	%	%	%	%
Babchishin et al., 2023	Canada	2005-2013	Charge	3.0*	CP-NC	222	4.1%	0.5%	3.6%	6.0%	0.7%	5.3%
					CP+C	75	9.3%	4.0%	4.0%	13.5%	5.9%	5.9%
					CC	920	4.2%	3.3%	0.3%	6.2%	4.8%	0.4%
Black (2018)	New Zealand	1998 - 2014	Conviction	7.6	CP	547		7.5%	13.0%		5.6%	9.8%
Cohen & Spidell (2016)	U.S. (Fed.)	2007 - 2013	Arrest	3.0*	CP-NC**	1,722	2.2%			3.2%		
					CP w/C**	565	4.1%			6.0%		
					SA**	605	2.2%			3.2%		
Dowling et al. (2021)	Australia	2004 - 2013	Arrest	5.0*	CP	196	8.0%	4.6%	6.1%	8.0%	4.6%	6.1%
					SOC[a]	896	5.5%	-	2.0%	5.5%	-	2.0%
Eke et al. (2011)	Canada	2001 - ?	Charge	4.7	CP	335		1.5%	5.7%		1.5%	5.7%
					CP+Vio	206		8.7%	8.7%		8.7%	8.7%
Eke et al. (2019)	Canada	1993 - 2010	Charge	5.0*[c]	CP-NC	279	8.2%		6.1%	8.2%		6.1%
					CP+C	67	25.4%		17.9%	25.4%		17.9%
Endrass et al. (2009)	Switzerland	2002	Investigation	6.0*	CP	231		0.8%	3.9%		0.7%	3.4%
Faust et al. (2015)	U.S. (Fed.)	2002 - 2005	Arrest	4.8	CP-NC	428		3.0%	1.6%		3.0%	1.6%
					CC	210		5.7%	0.0%		5.7%	0.0%
Fortin & Roy (2007)[b]	Canada	-	-	2.0	CP	192	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Jung et al. (2013)	Canada	2001 - 2009	Conviction	Min =2.0	CP	45	7.0%	0.0%	7.0%	14.1%	0.0%	14.1%
					Non-Contact	40	5.0%	0.0%	0.0%	10.2%	0.0%	0.0%
					CC	101	5.0%	5.0%	0.0%	10.2%	10.2%	0.0%
Krone & Smith (2017)	Australia	2005 - 2011	Conviction	4.0	CP	152	6.6%	2.0%	4.6%	7.8%	2.4%	5.4%
Laajasalo et al. (2020)	Finland	2010	Conviction	7.0*	CP-NC	61	0.0%			0.0%		
					CC	296	1.4%			1.1%		
Pilon (2016)	Canada	2010 - 2011	Conviction	3.0	CP-NC**	279	2.9%		2.5%	4.3%		3.7%
					SO**	1,511	2.5%		0.2%	3.7%		0.3%
					No SO**	54,590	0.3%		0.01%	0.4%		0.02%
Savoie et al. (2021)	Scotland	2010 - 2013	Charge	5.0*[c]	CP	141	9.9%	0.7%	7.8%	9.9%	0.7%	7.8%
					CP-NC	122			6.6%			6.6%
					CP+C	19			15.8%			15.8%
Soldino et al. (2019)	Spain	2009 - 2013	Arrest	~7.0*[c]	CP-NC	329	4.9%	0.6%	3.6%	3.9%	0.5%	2.9%
					CP+C	18	16.7%	16.7%	0.0%	13.6%	13.6%	0.0%
Steel et al. (2021)	U.S.	-	Anonymous self-report	-	CP	77			10.4%			10.4%
U.K. Studies	U.K.	? - 2007	Conviction	2.0*	CP	513	1.4%[d]			2.9%		
					CC	1,557	1.5%[d]			3.1%		
		2002 - 2008	Conviction	13.0	CP-NC	584	10.0%[e]	2.6%[e]		6.0%	1.5%	
					CP+C	106	26.4%[e]	9.4%[e]		16.4%	5.6%	
		? - 2007	Conviction	2.0*	CP-NC	690	1.6%[g]			3.3%		
					CP+C	304	6.6%[g]			13.3%		
		? - 2008	Conviction	3.1	CP-NC	1,230		0.8%[f]	4.1%[f]		1.2%	6.0%
					CC	6,122		1.5%[f]	0.6%[f]		2.2%	0.9%
					CP+C[h]	7,452		2.2%[f]	0.5%[f]		3.2%	0.7%
U.S. Sentencing Commission (2021)	U.S. (fed.)	2015	Arrest	3.0*	CP	1,093	4.3%	1.3%		6.3%	1.9%	
U.S. Sentencing Commission (n.d.)	U.S. (fed.)	1999 - 2000	Arrest	8.5	CP	610	7.4%	3.6%	2.3%	5.5%	2.7%	1.7%
Wollert et al. (2009)[b]	U.S.	-	-	4.0	CP	72	1.4%	0.0%	1.4%	1.6%	0.0%	1.6%

Estimated 5-year Rates		Any Sexual Recidivism	Contact Sexual Recidivism	CP Recidivism
Total	CP	5.5% (394/7,112, k = 15)	2.8% (383/13,574, k = 15)	2.7% (353/13,183, k = 17)
	CP-NC	3.9% (139/3,582, k = 7)	1.4% (32/2,209, k = 3)	4.8% (138/2,889, k = 7)
	CP+C	10.0% (103/1,029, k = 5)	3.4% (262/7,751, k = 4)	1.1% (89/7,837, k = 6)

Table Notes
5-year rates were estimated using the online calculator available at www.saarna.org (Thornton et al., 2021)
CP = Child pornography
CP w/C = Child pornography that involved contact (e.g., production)
CP+C = Child pornography and a contact sexual offense
CP-NC = Child pornography and no contact sexual offense
CC = Contact against child
CP-NonVio = Child pornography and no violent offenses
CP+Vio = Child pornography and a violent offense
SA = Sexual assault
SOC = Sexual offenses against children
SO = Sex offenses (excluding CP)
No SO = Non-sexual offenses only
K = Number of studies (non-overlapping)
[a]Included attempted contact offenses, and they may also have had a CP offense
[b]As cited in Seto et al. (2011)
[c]Defined as street time (excluded time in custody for non-sexual offenses)
[d]Barnett et al. (2010)
[e]Elliott et al. (2019)
[f]Howard et al. (2014)
[g]Wakeling et al. (2011)
[h]Includes some offline, non-contact sexual offenses

*This author had no financial interests to declare.

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