

INTERNATIONAL JOURNAL OF LAW
MANAGEMENT & HUMANITIES
[ISSN 2581-5369]

Volume 8 | Issue 2
2025

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The Place of Artificial Intelligence in Child Exploitation: Legal Implications and Challenges

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ABSTRACT

Growing a sapling into a fruiting plant requires the right kind of care, such as proper sunlight, pesticides application, rich soil, and proper water. In the same manner, children's growth and development are heavily affected by the environment where they grow up since they are the future building blocks of society. It is crucial to see that children are given a safe, nurturing, and psychologically supportive environment so that they can grow up as capable and rational individuals.

But it is exceedingly worrying that children have been exploited in so many ways over time, with recent developments in artificial intelligence (AI) bringing new and unsettling aspects to the issue of child abuse. Though AI was created to benefit humanity, it has also been used to create explicit and indecent images of children. The technology allows photographs to be manipulated by either "nudifying" pictures or placing the faces of children on inappropriate material, producing highly realistic but false content that is hard to tell apart from real images. In addition, AI can mimic real voices, resulting in the re-victimization of sexual abuse survivors and the distribution of abusive content.

Recent IWF report a shocking spike in AI-created child sexual abuse material, from April 2023 to March 2024 total 375 cases. Due to this emerging threat, the United Kingdom is the first nation to criminalize the promotion, creation, and dissemination of AI tools to generate such content. This paper seeks to critically analyse the efficacy of the UK legal framework in responding to AI-enabled child exploitation and its wider implications on child protection.

Keywords: *Child Exploitation, Child Sexual Abuse Material, AI-generated abuse, Deepfake Technology, Legislative Responses.*

I. INTRODUCTION

It is the cycle of life of human beings to always cherish their children and to grow them into a good and dependable adult. We, humans always strive hard to give the best care to our children

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be it their food, clothes, education and other physical activities as they are the most important part of their life. It is very crucial to provide necessary care to children as they are the ones who are going to take charge in future and lead the world. It is very shocking to know that there has been a huge rise in the activities relating to child pornography, it is nothing new that children have been sexually exploited from a very long time even though there were proper laws made to curb out these issues. Even though the laws were made with more and more rigidity still we can still find that even today children are being sexually abused. In this era, where technology is developing in such a faster pace, Artificial intelligence was introduced to us for the easement of the work burden we have. Likewise, there were lot of things that Artificial intelligence could do that would be a bit difficult for humans to perform like research about any topic, editing photos and even solve complex problem in minutes. Artificial intelligence has upgraded so much more that now they have been introduced in they hospitals to perform minor surgeries. But it is very heartbreaking that Humans, being corrupt always ends up misusing any thing provided to them for their betterment. As it was already told that Artificial Intelligence could perform certain tasks like editing photos and mimic out voices very similar to the original voice. Recently it was seen that Artificial Intelligence was being misused in the most inhumane ways. There were instances where Artificial intelligence was used to edit photos and create child pornographic content. It is so horrifying to see people encouraging such inhumane activities which is particularly targeting the children of very young age. Here we need to keep in mind that the Artificial Intelligence can seamlessly nudify the real children's photographs or attach face of any other child and put it on some one else's body which is very difficulty to identify whether those are real or edited photos. Not only such fake images are being made but also seen that there were fake videos made with the help of Artificial Intelligence where they even used real voices of children who are victims of these type of abuse and made pornographic videos with it to make it more realistic. United Kingdom is the first country in the whole world to criminalize Artificial Intelligence generated Child sexual abuse materials.

II. MEANING OF A.I GENERATED CHILD SEXUAL ABUSE MATERIAL

As the technology keeps on getting advanced presently, we can witness gross practice going on. There is usage of software to create a partial or fully fake nude image or video of children. Due to such advanced technology, one can just command by typing text and give description if the kind of image they want and it will be generated by the software. Here now the catch is we might think that since these images are generated by Artificial Intelligence and so there is no actual harm was done to any child but it is very important for us to know that Artificial Intelligence will only pick up data available online and process it as per the command and

present it to us. So, if any image is generated it can be assumed that it is highly possible that there were photos of children who have been victim of such heinous crimes. We can say that it might not be real image but the editing is done so well that differentiating which is original and which is fake might be very tough to do. Now here people can be very cruel they give gore commands and the images or videos created can be very brutal and heart wrenching. These kinds of materials are then put out on internet or sold to people who seem to enjoy these. As these materials are put out in public platforms it is very likely the victims, family members or acquaintance can easily find out about this. Now not only it might trouble the victim but also the family members will have a wound that might never heal. These predators not only edit the photos with voices but also upload these images and videos on public platform as the result they blackmail the victim into doing more heinous practices or asking them for money. It is very heart breaking to see that the victims are forever left with wounds that might not heal.

(A) Research Question

- Can UK's new legal measures will be effective in dealing with Artificial Intelligence generated Child sexual abuse material?
- Given to the realistic nature of Artificial intelligence generated images will it be challenging for the law enforcement authorities to prosecute the criminals?

(B) Research Objective

- The laws that have been implemented by United Kingdom has enough effect to curb this issue.
- The law enforcement authorities can still hold the people responsible even though it is hard to identify the material provided after the edition. As the laws has been made with the point of view to solely eradicate the issue.

(C) Methodology

This paper is purely Doctrinal Research based paper. Since this paper exclusively deals with the child sexual abuse material there were lots of articles referred and had to go through the laws and provisions provided by them. Hence Doctrinal based research would be more suitable with this paper.

III. CAN UK'S NEW LEGAL MEASURES WILL BE EFFECTIVE IN DEALING WITH ARTIFICIAL INTELLIGENCE GENERATED CHILD SEXUAL ABUSE MATERIAL?

Recently, it was seen there has been significant amount of huge demand of child pornography

material which then resulted in UK making laws to curb out this issue. UK has modernised the legal basis by which Border Force which can detect the child sexual abuse material (CSAM) at the border of UK. This plays a vital role in ensuring that the legal provisions can tackle the challenges which can arise in the digital era. Since recently there has been significant amount of rise in cases relating to child sexual abuse material, the UK government introduced a new criminal offence that criminalises AI generated images or videos with the motive to make child sexual abuse material. These materials can also be said to be highly realistic and usually contains materials regarding very young children. Hence these kinds of materials are presently illegal in the United Kingdom.

The United Kingdom has also updated its existing laws criminalising pedophile manuals so that they can cover artificially generated child sexual abuse material which shows how the child sexual abuse has been evolved.

The United Kingdom has also thought of bringing new laws so that the offenders cannot plead saying that there are any safe spaces and they can facilitate any kind of abuse which they were having at that time. The United Kingdom actively stated that they will criminalise any-one who provides maintain or any kind of moderate online services which can also be said websites which are regularly been in use to share child sexual image building or to commit any other kind of child sexual abuse offences. Now here pedophile manuals have been clearly stated in the bill stating that its an offence under Section 69 of the Serious Crime Act 2015 to include pseudo photographs and prohibited images. Here this tries to achieve consistency between the real child sexual abuse material and AI generated abuse imageries which mostly features the real children.³ There was recently huge surge in any kind of material regarding Child Sexual Abuse Material as per the Internet Watch Foundation (IWF) which led the United Kingdom to make laws regarding the Child Sexual Abuse Material that are being surfaced online. Here it is important for us to know that Internet Watch Foundation is an organisation that mainly focuses on restricting the use and availability of online sexual abuse content, specifically focusing on Child Sexual abuse images hosted in United Kingdom. This organisation was said to be a non-profitable organization with the motive to curb out Child Sexual Abuse material. According to the report provided by the Internet Watch Foundation in 2024 the Internet Watch Foundation acted to remove any kind of images or videos linked to Children suffering sexual abuse, or links related to sexual abuse of children on exactly 291,270 webpages across the globe⁴. the fact is

³ *Crime and policing bill: Child sexual abuse material Factsheet* (no date) GOV.UK. Available at: <https://www.gov.uk/government/publications/crime-and-policing-bill-2025-factsheets/crime-and-policing-bill-child-sexual-abuse-material-factsheet> (Accessed: 22 April 2025).

⁴ Internet Watch foundation, report of the year 2024, <https://www.iwf.org.uk/news-media/news/call-for-prime->

that each page can contain at least one, if not hundreds or thousands of images and videos of children suffering sexual abuse. This is the most child sexual abuse webpages that the Internet Watch Foundation has ever discovered in its 29 years of history. There was new data that was revealed in the year of 2024 where it was shocking seen the worst year on record for Child sexual abuse material through-out the internet they found these kinds of materials present in a dark web page. According to the current report there is 830 percent increase in online child sexual abuse material since 2014 when Internet Watch Foundation has actively started hunting for Child sexual abuse materials and removing it.

IV. GIVEN TO THE REALISTIC NATURE OF ARTIFICIAL INTELLIGENCE GENERATED IMAGES WILL IT BE CHALLENGING FOR THE LAW ENFORCEMENT AUTHORITIES TO PROSECUTE THE CRIMINALS?

Law enforcement agencies around the world now face additional difficulties as a result of the quick development of artificial intelligence (AI), especially when it comes to prosecuting offenders who abuse AI-generated content. In addressing these issues, particularly with regard to AI-generated child sexual abuse material (CSAM), the UK has taken the lead. This study looks at UK legal frameworks, evaluates the efficacy of new laws in tackling AI-related offenses, and investigates how the realistic character of AI-generated images makes criminal prosecution more difficult.

One of the major challenges in prosecuting crimes involving AI-generated images is establishing their authenticity in court. AI-generated content, particularly deepfakes, can be indistinguishable from real images. This creates a legal grey area where defense attorneys may argue that the prosecution cannot prove beyond a reasonable doubt whether an image is real or fabricated. This issue weakens the reliability of digital evidence, traditionally considered strong in criminal cases

The Demand for Cutting-Edge Forensic Instruments It takes advanced forensic technologies that can examine digital footprints and metadata to identify AI-generated photos. But as AI technology advances, fraudsters are creating increasingly sophisticated methods to remove or alter these traces, making it more difficult for forensic specialists to tell real photos from ones produced by AI. **3. Legal and Jurisdictional Restrictions** Criminal activities produced by AI frequently operates in several jurisdictions. Without international collaboration, it would be challenging for UK law enforcement to capture a criminal who creates and disseminates

dangerous AI-generated images from one nation. Legal proceedings are further complicated by different country regulations and extradition laws.

Criminal activities produced by AI frequently operates in several jurisdictions. Without international collaboration, it would be challenging for UK law enforcement to capture a criminal who creates and disseminates dangerous AI-generated images from one nation. Legal proceedings are further complicated by different country regulations and extradition laws.

It takes a lot of money and specific knowledge to investigate crimes involving AI-generated content. Resource constraints frequently make it difficult for law enforcement organizations to effectively upgrade their forensic methods in order to stay up with the rapidly changing AI landscape.

As United Kingdom had understood the severity of this content of Child sexual abuse material, they implemented various new legislation to curb out the issues regarding child pornography. They have implemented various new laws to curb out these issues. In February, 2025 the United Kingdom became the first country to criminalise any kind of activities related to artificial intelligence generated child sexual abuse material. There were certain key provisions that were provided by them:

- Criminalisation of AI tools for Child Sexual Abuse Material creation

Here they made it illegal to process, create or distribute any kind of artificial intelligence tool which has the potential to generate child sexual abuse material where if they find anyone performing such task can face a imprisonment for about five years⁵.

- Ban on AI Pedophile Manuals

Here there was manuals or book of instruction where the individuals will be provided with instruction how they can create videos an images of child sexual abuse by using artificial intelligence. They will be punishable for imprisonment about three years.

- Offence of Operating Child Sexual Abuse Material in any online platforms

Here any kind of public platforms or websites who encourages in sharing any instance of child sexual abuse material or provide any kind of guidance on how a child can be groomed will face with a penalty of ten years in prison. It is very obvious that grooming of a child can always be misunderstood by public at large because the meaning of the word grooming does not directly

⁵ *Crime and policing bill: Child sexual abuse material Factsheet* (no date) GOV.UK. Available at: <https://www.gov.uk/government/publications/crime-and-policing-bill-2025-factsheets/crime-and-policing-bill-child-sexual-abuse-material-factsheet> (Accessed: 22 April 2025).

talk about sexual way. Hence individual might think it might be in a positive way that their children might be in good care.

- **Enhanced Border Force Powers**

Here the boarder force officers have the authority to ask and compel any individual who is suspected of posting or editing or involving any kind of child sexual abuse material related activity. The officers can ask them to unlock their devices like mobile phones, laptops, personal computers or any kind of digital device with which they can potentially share child sexual abusive materials over the internet. If there is any kind of situation where an individual does not comply with the orders of the border force officers, then they shall face imprisonment of a minimum three years and depending on the severity and significance of their crime their punishment might be dependent on the discretion of the honourable court.

The government of United Kingdom made it very clear that people accused of pedophile should not be allowed to know more about artificial intelligence generated child sexual abuse material. The reason for this is that they can easily use the photos of their victims that they had taken before while committing the crime not. Not only they use it to blackmail their victims into more abusive practices but they can also upload it online which may result in destroying of the self-confidence of the victim of sexual abuse and even their family, friends and acquaintance will go through a very rough phase of their life. Once it is known in public that one is a victim of sexual abuse the surrounding public will objectify them as if they have committed a heinous and adulterous crime. Even though these kinds of unlawful practices have been committed against a small child, it is very evident that the society might always make the victim responsible for the crimes committed to them.

V. CONCLUSION

Here the Child sexual abuse material that is surfaced online can not only affect the victim in a serious way but also their family and relatives. It is very heart breaking to see that Artificial intelligence was created only to ease the work of humans are now being used to abuse small children. It is very important for us to keep it in mind that children are not anyone's sexual objects where they can abuse them in whatever way they want. They are precious to their parents and no one has the rights to abuse them in real life or in any public platform otherwise.

The children are always someone who needs to be provided with proper environment where they can flourish and become a responsible adult. But if a child faces abuses like this it is very hard for the parents to raise them as they might suffer from huge traumas where they might also need assistance of medical practitioner so as to come out of the trauma. It is very important for

us to keep in mind that children are very sensitive and they can carry the trauma through out their life hence we need to give them proper assurance that no on can harm them and also strive that our children are safe from these kinds of predators so that they might not experience such kind of horrific incidences in the early stage of their life.
