



## Canadian Sexual Assault Decisions and the Digitization of Sexual Violence

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### **Abstract**

The dynamics of sexual violence are shifting in the “age of the selfie,” as cellphone cameras become an integral part of identity and social interaction (Sandberg and Ugelvik 2017). Cases in which perpetrators film sexual assaults are on the rise. Using recent Canadian legal decisions and news coverage, this research project aims to explore the influence of the pornographic sexual script on sexual violence. Even though judicial decisions offer incomplete accounts of the unfolding of alleged sexual violence, filtered through the sieve of legal relevance, these cases provide an important window into how online pornography is shaping the actions of perpetrators. An analysis of these decisions reveals pornography being performed and scripted, when perpetrators, sometimes in groups, engage in recording. The act of videoing is integral to these assaults. The accused men seem to be imitating the kind of sex depicted in gonzo pornography, and they are at the same time engaging in pornography creation. They are actors in a pornographic scene. The creation of digital records memorializes and eroticizes what are often extremely degrading and humiliating acts of sexual misogyny. These recordings infiltrate courtrooms, as complainants are forced to respond to victim-blaming questioning, while videos are played and freeze-framed, amplifying the humiliation. In turn, trauma is transmitted in new forms of mediated violence to all trial participants.

**Keywords:** law; sexual violence; pornography; feminist legal theory.