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“AGENDA FOR ACTION”

**A Conference on the
Sexual Exploitation of Children**

**Ontario Police College
November 2 - 7, 1997**

CONFERENCE FINAL REPORT



**Solicitor General
Canada**

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Introduction

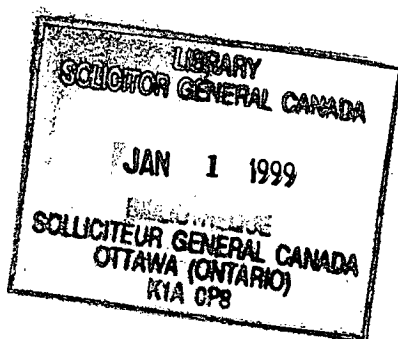
On behalf of the Solicitor General of Canada and the Canadian Association of Chiefs of Police, I am pleased to provide the Final Report of the proceedings of the "Agenda for Action" Conference, which was held in Aylmer, Ontario, from November 2 to 7, 1997. This report outlines the content of the various presentations and provides insight into the many issues that were discussed during the Conference.

The "Agenda for Action" Conference was designed to address the most current issues surrounding the sexual exploitation of children. Professionals came together from agencies across the country, and the positive response to the Conference has been very encouraging.

It is the hope of the Conference Committee that the information presented over the course of the week and captured in this report will be enlightening and will assist organizations in their mandate to protect and to ensure the well-being of children.

Julian Fantino,
Chief of Police,
London, Ontario.

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Note

The contents of this document are based on notes and audio recordings of the conference proceedings and should not be considered to be a verbatim summary.

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Child Abuse: The Hidden Crime

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There is a great degree of overlap between child sexual abuse and all other forms of abuse which take place in the context of young people. In the average classroom, there are three to five children who are witnessing violence in their families; there is a 30 to 40 percent chance that they also are being sexually abused. There may be a warning sign for police attending domestics to become aware of.

Sexual abuse has nothing to do with sex, but everything to do with power, manipulation, and control of the victim and of relationships. As they get older, many victims become offenders. It is not unusual to see young offenders involved with sexual offences against children, having themselves been victims of sexual abuse. There is a very clear cycle.

Young people witnessing violence have serious emotional behaviour problems. Boys who witness violence have a 70 percent rate of serious emotional problems; girls witnessing violence have a 10 percent rate of such problems. Boys who witness violence are more likely to destroy their own property, to destroy the property of others, to be disobedient at school, to be cruel to others, and to fight or attack people without provocation. At the same time, these boys have a number of internalized problems. They have poor peer relations; they are withdrawn; they cry easily; they feel unloved; they are suspicious, sad, worried, and secretive. Many of these problems relate to increased vulnerability. Fifty-seven percent of all children who witness violence will exhibit signs of post traumatic stress disorder: flashbacks, nightmares, number response, irritability, or outbursts of anger.

The majority of children who run away to Toronto run from family violence. This puts them at risk of alcohol abuse, juvenile prostitution, drug abuse, and violence. Perpetrators who

want to abuse children prey on just such individuals, who are the most vulnerable. Perpetrators know the children to pick on: those who are disadvantaged economically, those who come from single parent families, those who are trying to remove themselves from difficult family situations.

Victims of child sexual abuse generally are not abducted at knife-point; they are vulnerable children who are seduced and groomed and taken advantage of.

A typical study of the duration of the relationship between an abuser and a child at the time of onset showed the following:

| | |
|----------------------------|-------------|
| Never met before/strangers | 44 (10.2%) |
| Met that day | 26 (6%) |
| Recently met | 69 (16.2%) |
| Known less than one year | 70 (16.2%) |
| Known longer than one year | 79 (18.3%) |
| Known since birth/infancy | 144 (33.3%) |

The biggest problem with child sexual abuse is that it is never heard of. The most common means of discovery are as follows:

1. Accidental discovery.
2. Another victim comes forward.
3. Medical evidence of injury identifies it.
4. Confrontation involving suspicious adults.

In the above scenario, current research findings indicate that immediate disclosure is the exception rather than the rule; the majority of child disclosure is delayed; boys are less likely to disclose than girls; disclosures are often retracted and/or unconvincing.

There is a full range of impacts which follows disclosure, and this can include:

| | |
|------------------------|-------------------------|
| anxiety, panic attacks | anhedonia |
| intrusive thoughts | low self-esteem |
| sleep disturbance | guilt/shame |
| hyper-vigilance | emotional numbing |
| phobic reactions | traumatic sexualization |
| avoidant behaviour | betrayal |
| depression | helplessness |

Initial Reactions to Victimization

First three months:

- Post traumatic stress disorder
- Painful affect
- Cognitive distortions
- Altered development

Long-term Effects/Secondary Accommodation

- Survival/coping mechanisms
- Secondary victimization

Some Factors Associated with Greater Trauma in Child Victims

- Longer duration
- Greater frequency
- Closer relationships between abuser and child
- More intrusive acts
- Earlier onset
- Multiple abusers
- Presence of psychological and physical abuse

Disclosure: Four Steps in Decision-Making

1. Recognize that the behaviour is wrong.
2. Overcome the inhibition to tell/suppress fear.
3. Decide when to tell.
4. Decide whom to tell.

Complexities Within the Education System

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Ms. Kelman has acquired extensive experience of abuse matters as a member of the Metropolitan Toronto Committee on Child Abuse. She was hired by the Metropolitan Toronto Board of Education as a consultant in the spring of 1991 to deal with one of the first, and still the biggest case of abuse by a teacher that the Toronto Board had experienced. Graham Wishart, a department head of Music at Oakwood Collegiate and a naturally known talent, had been charged with sexual assault of a dozen or more boys over a period of several years. He would entice boys up to a summer cottage, where he would sexually assault them.

Ms. Kelman's role was to advise the Board on public response and policy, and to help the students to cope. Although initially, public sympathy was clearly with the teacher, it eventually subsided in light of overwhelming evidence against him. He ultimately plead guilty and, after his release from jail, had his teaching certificate withdrawn. The Board learned much from the experience and developed a new policy in response: Standard Procedure 54. This procedure was distinctly child- and victim-centred and took a strong position to protect the police investigation and to make charges public.

As the Board's first full-time child abuse consultant, Ms. Kelman's first case was an issue at Brown School, an elementary school located in an upper class enclave between upper and lower Forest Hill, in Toronto. In the spring of 1992, John Freestone, a grade 6 Music teacher and the most highly regarded teacher in the school, was charged with the sexual abuse 20 years previous, of a then 11-year-old boy. The abuse lasted four years.

As per Standard Procedure 54, as soon as the police informed the Board about the investigation, Mr. Freestone was sent home with pay and then charged. He was given an alternate assignment away from children. The Board also informed the Brown teachers and students, and then invited the community parents to an evening meeting if they wished more information. The parents were told that Mr. Freestone had been charged with the offences and that, criminally, he was innocent until proven guilty, but that Board policy required that anyone charged with sex offences against children be relieved of teaching duties until the case was resolved.

The parents were outraged that the Board would remove their favourite teacher from the school. In the weeks that followed, a parents committee raised \$10,000 for Freestone's defence, and the school principal asked the senior classes if they would like to contribute proceeds from their bake sale to the defence fund as well; this in spite of the fact that, by this time, three more students had come forward with disclosure. Those three students attended one of the classes that the principal approached. One year later, on the date of the trial, John Freestone plead guilty to all of the original charges against him. School staff and parents testified at his sentencing. One mother remarked that Freestone was the only teacher who could properly prepare the children for their entrance exams to private school.

Where there is a guilty plea or finding of guilt by the Court, the job of the school board is much easier. However, it is very difficult with a level of proof beyond a reasonable doubt to get convictions of cases that often come down to credibility contests.

A case in point is Lawrence Park Collegiate: another middle to upper middle class school in Toronto. In the fall of 1994, the head of Vocal Music at Lawrence Park was charged with the sexual exploitation of a 15-year-old student. Again, the staff and parents rallied around the accused. As usual, the Teachers' Federation hired a top criminal lawyer to begin preparing the teacher's defence. Within days, a private investigator was in the school, trying to dig up dirt on the victim and to find witnesses for the defence; and this, with the Principal's permission! The Director of Education ordered the investigator off school property, but the message to the students and the community was clear: Support the accused.

This particular victim was a boy of outstanding character, with no history of wrongdoing of any kind. This is not often the case for children singled out for sexual victimization. They are much more likely to be youths with problems and problem families. Victims and their families have no legal representation in court. They are mere witnesses for the Crown, who has no money to pay for investigators to seek out "dirt" on the accused; and even if they did, their evidence would likely not be admissible.

In this case, the Teachers' Federation, the OSSTF, publicly denounced the Board policy of removing the accused from the school and of not informing the accused of the specifics of the police investigation, and launched three notices against the Board for these practices.

The accused, at trial, was acquitted on a technicality. The charges revolved around the number of requests the teacher made of the boy for oral sex. The boy stated to police, and later in court, that the accused had repeatedly asked if he could perform oral sex on the victim. The Crown, in its written explanation of the charge, had mistakenly indicated that the teacher had asked if the victim could perform oral sex on him. The Judge, in her decision, said that she found the victim to be absolutely credible and the teacher to be

evasive and not credible; however, due to the specificity of the charge, in light of the testimony of the victim, she would have to find reasonable doubt and acquit. The acquittal was interpreted by the entire school community as vindication of the teacher and as proof of the false allegations of the boy. The family of the victim asked that the Judge's written decision be posted in the staff room or distributed to the staff, so that the staff could see that the boy was found to be telling the truth. The Director asked the Principal to do so. The Principal, by this time a new one, said she would and then did not. The boy left the school.

What happens after a criminal case is finished is not a matter of public record. It is a personnel matter; a private concern between employer and employee; or, in education, between management, the school board, and the union: the Ontario Teachers Federation. Where teachers have been accused of misconduct and there are no police charges, for a variety of reasons – even if the Board has solid evidence against the teacher – at worst, the teacher has been transferred to another school or allowed to resign. Resignation, rather than firing, leaves a distinctly different impression on a teacher's resume. In many cases, the Federation threatens to grieve any firing, which would force the Board to pay huge costs for a subsequent arbitration. Furthermore, all victims and witnesses would have to testify again at the arbitration, which is much like a civil trial with fewer protections for victims. Even in the rare event that a teacher is fired for abuse of a student, it is still not made public as it is a private personnel matter.

A convicted teacher moving to another school board is a case on point. The Ontario Teachers Federation is empowered by legislation to hold its own private hearings to determine if a teacher should have his/her teaching certificate terminated, be temporarily suspended, or receive no penalty. The OTF provides the prosecutor, while one of the OTF affiliates provides the defence for the teacher. However, it is up to the school board where the teacher committed the offence to take the initiative to request that the Minister of Education call an OTF hearing. Many boards have never made such a request. Even in cases of criminal guilt, the teacher is entitled to legal counsel to present his/her case for not losing his/her certificate. It is not automatic.

RECOMMENDATIONS:

School boards should have clear and simple policies defining sexual abuse. These policies should express disapproval of sexual abuse, make it clear that the board is committed to eliminating abuse, and encourage victims to come forward without retaliation.

All allegations of sexual abuse involving staff and students should be transmitted to the superintendent or to a special unit assigned to investigate such matters.

All charges should be investigated by a trained investigator, preferably the local police authority. If a teacher is acquitted, yet there is a strong belief and evidence that the teacher did, in fact, commit the offence, it is not untoward to suggest that the board hire a private investigator qualified in sexual assault investigations, to make a better case to terminate the individual's employment.

The school board is constrained from revealing anything which is not on the public record concerning an individual charged or before the courts. However, the board should tell the school community what has happened as soon as an individual is charged, instead of having them read about it in the morning papers. This also will give parents an opportunity to talk to their children about it. Community meetings should have a superintendent or senior board official present, as well as a police officer – preferably the investigator and his/her superior. They will not be able to disclose facts, but they can relate the police protocol in such matters and explain why certain facts cannot be revealed.

We must take a balanced approach between the rights of an accused and the rights of a victim who has come forward and should have protection from being called a liar.

School board policy of allowing teachers who have been accused or convicted of sex offences against children to resign must be challenged. This policy allows them the freedom to teach elsewhere and sends a message to victims that even if a teacher is convicted of molesting children, he or she may not lose his/her teaching privileges.

Victim-Centred Response

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INTRODUCTION

Within the professional community, the understanding of sexual abuse and exploitation of children has increased markedly in the last fifteen years. However, the complexity of victimization is such that it is incumbent upon child welfare professionals to continually strive to understand the experience from the perspective of the victim and to take that knowledge and share it within the community at large. Generally, different scenarios cause different reactions in the victim, and a child's experience of trauma as a result of being victimized must be assessed on an individual basis. The experience of being sexually victimized does not necessarily result in trauma or have a long-term, adverse effect on a child. The effects of chronic victimization are, however, lifelong and can affect an individual in the following ways:

- traumatize the individual and impair his or her ability to function in a healthy manner in many key areas of his/her life, such as self-esteem, intimate and sexual relationships, health, emotional stability, etc.
- lead some to become aggressors and/or individuals with impaired ability to empathize.
- cause some individuals to stay in victim patterns throughout their adult years. They may, for example, marry abusive partners and find themselves unable to protect their own children.
- in some cases become protectors and go on to work with child victims or adult survivors.

Literature in the area of child sexual victimization outlines three major areas of concern regarding child sexual victimization:

1. Sexual abuse involving activity between an adult and a child. This can be violent or non-violent sexual abuse involving someone known to the child inside the family system or outside the family.
2. Sexual abuse involving the sexual exploitation of the child, including child pornography (a permanent record of the sexual abuse of the child) and a child sex ring (involving multiple children in sexual abuse) with or without commercial gain or exchange of money. -
3. Missing children, including runaways and children abducted by parents or non-family members. These children are highly vulnerable to sexual exploitation and assault.

The vast majority of clinical experiences are with the first group. If we conceptualize child sexual abuse on a continuum, we would likely see it starting with risk factors, such as weak attachment to parental figures, possible neglect, parental rejection, physical abuse, verbal threats, put-downs, parental absences from the home, family violence, and alcohol and drug abuse within the adult system. Then, we would likely find experiences involving sexual abuse by an offender known to the child. A future involvement in organized sex rings or pornography rings is further down on the continuum, as is child prostitution. This pattern was evident in the backgrounds of many of the boys studied in the Project "Guardian" investigation. These children (mostly in their pre- to early teens) did not verbalize feeling victimized, but did acknowledge symptoms associated with trauma: suicidal ideation, drug and alcohol abuse, impaired relationship abilities, aggression, sexually compulsive behaviours, anti-social and criminal behaviours.

The experience of being victimized is important to examine in any service response that hopes to be victim-centred. What is it to be victimized? What does it mean in our culture? It is complex, and our view varies according to the societal lens we apply. Factors such as gender of the victim, gender of the perpetrator, relationship of the perpetrator to the victim, engagement strategy, and cultural background all have an impact on the victim and on the response of others. We are largely a victim-blaming society. This is communicated not only directly, in questions such as "What kind of boy would....," "Why didn't she....," but also indirectly, by well-intentioned professionals. It is not uncommon to hear descriptions such as: "The child confessed....," "She admitted she...."

Additional evidence of this victim-blaming can be found in any courtroom on any given day when a recent or historic sexual abuse event is being tried. The public at large continues to harbor views which are not victim-sensitive.

The dictionary definition of a victim is:

1. a person or animal injured, killed, sacrificed, or mistreated;
2. a person tricked by another, duped;
3. a person or animal sacrificed as part of a religious rite.

Clearly, this definition implies that something harmful happens to an individual by someone or something else. There is no indication in this definition that the person is responsible for the circumstances they find themselves in.

As noted previously, many of the boys in the Project "Guardian" investigation did not see themselves as victims, because they felt they had consented to the sexual involvement and were compensated for it. One boy reported to us that he became involved in the pornography ring for money to support his drug and alcohol usage. He had known Gary Gramlick, one of the main pornographers, for about one year. He was fourteen when he first met Gramlick and started out helping him to deliver milk and juice. Gramlick asked him to "do pornography" one day when he needed some money for drugs. He masturbated in front of the camera for Gramlick and was paid \$20.00. This was his first sexual involvement. He said that he felt responsible for getting involved in the pornography because he wanted money for drugs. He said he was not gay or bisexual, and felt that it was important to emphasize that fact. He started taking drugs at age nine, which was also the age at which he became a Crown Ward. He recalled life with his family was a horror. His father would beat him. He felt he became a Crown Ward because his parents did not want him anymore, and he claimed that the drinking and drugs helped him to forget about them. Gramlick and the other adults involved in this activity, in a strange way, nurtured him and made him feel a part of something.

WHAT IS THE PROCESS OF VICTIMIZATION THAT WE CAN IDENTIFY WHEN A CHILD IS SEXUALLY-ABUSED?

It is typical for a victimization process to occur in sexual abuse. Many different clinical models have been developed to describe the process of victimization. Understanding this process can be very important for the investigators/interveners because it helps them to pinpoint information that is important for validating the sexual abuse. Also, it is critical for assisting the victim to recognize the offender's responsibility in the abusive event.

Engagement Phase

This stage usually starts with pre-grooming behaviours which test out a child's ability to keep a secret. The strategies for involving the child in sexual behaviour can vary and usually involve one or more of the following methods:

- Enticement
- Entrapment
- Threat of Physical Harm
- Physical Harm

Enticement: The victim is lured into the sexual activity with the promise of money, attention, special activities, power, recognition. Many children will talk about the guilt they felt taking the enticement. This clearly has an impact on their perception of the event and leads to a lifelong struggle with the shame of having willingly participated, as they perceive it, in the sexual activity.

Entrapment: By the nature of the relationship (i.e. the abuser was in a parental role, an authority figure, or a babysitter), the involvement in illegal or improper activities (i.e. alcohol consumption, drug use, smoking, breaking curfew), peer pressure and co-involvement, pressure to comply to avoid upsetting family members (i.e. if the offender is well liked by the non-offending parent). The engagement strategies also factor in to the secrecy in that they are designed to motivate the victim, and once the sexual activity has occurred, the abusers continue to use engagement strategies that will keep the victim involved and maintaining the secret.

Sexual Activity Phase

Typically, the sexual activity begins with less intrusive behaviours, progressing to more intrusive sexual acts. It is not uncommon for the first sexual contact to be over-the-clothing genital touching which is meant to appear accidental. It can also begin with sexualized talk, voyeurism, exhibitionism, or kissing and progress to under-the-clothing touching of genitals, masturbating the child, or, having done that, oral sex, vaginal intercourse, anal intercourse, etc. The progressive sexual patterns are more common with the first two engagement strategies. Those offenders who use force present a rapist profile and tend to be physically abusive and sexually intrusive at the outset, with little regard for developing a rapport with the child victim.

Secrecy Phase

The offender must ensure that the sexual activity is kept a secret. Offenders are astute at selecting victims who are more likely to keep the abuse a secret. Secrecy can be communicated as an expectation by the offender either directly or indirectly. Most older children would know that the sexual behaviour is wrong. Their keeping the secret is motivated by a different awareness of the behaviour. However, younger children may not realize that the adult is breaking rules, and therefore, the offender would have to find some way to ensure that the child does not tell or is not likely to be believed.

Disclosure

We look at disclosure as a phase of victimization because it can reinforce and re-victimize the child. Often, children will tell us that they disclosed the abuse to someone or that they were sure that a parent knew the abuse was happening because of their behaviour or innuendo. Children who feel believed and supported at the outset are more likely to recover from the traumatic effects of the abuse than children who are not protected, believed, or supported.

Typically, there are two types of disclosure:

1. Purposeful disclosure is when the child tells someone of the sexual abuse. Children tell when they see it is an option. Usually, the reasons for telling are as individual as the victim, and it is important for the individuals investigating the abuse to ascertain what the child hoped would happen as a result of telling, or to find out why they told.
2. Accidental disclosure happens when the abuse is discovered by a means other than the child telling. This can occur in a variety of ways: letter, observation, pictures, overhearing a conversation, venereal disease, pregnancy, etc.

It is important to understand how the disclosure occurred. Often, accidental disclosures are difficult to investigate, prosecute, establish a protection plan, and engage the child in a therapeutic process. On the other hand, purposeful disclosure can be very difficult because the child may feel more to blame for the consequences of the disclosure.

Family Court Clinic studies on disclosure found that they could predict with a high degree of accuracy that a child would not tell after the first sexual contact if that child:

- was emotionally close to the abuser;
- experienced pre-abuse grooming;
- was abused by a family member;

- was young at the time of the first sexual contact;
- was living with one or more alcoholic parents;
- had been subjected to subtle and non-aggressive techniques to secure compliance with the sexual act.

(500 cases reviewed; 135 of the children interviewed)

Clearly, children struggle with disclosure for many reasons. The potential for a subtly-transmitted message of responsibility and blame exists when we admonish children for not telling sooner. Children will disclose abuse when they feel it is an option.

Research on post-disclosure behaviour indicates the following:

- Overall in the research, children who are believed and supported fare better in therapy and are less likely to develop severe psycho-pathology.
- Negative reactions by the mother to the disclosing child are related to an aggravation of the child's abuse symptoms.
- Research bears out that even when supportive, mothers with marked emotional and behavioural changes need counselling in order to maximize their abilities to provide help for their children.

It is equally as important to look at children's post-abuse trauma as it relates to parental reaction.

SEXUAL ABUSE OF BOYS

The research on the incidence of abuse of boys is varied in its reporting of occurrences. The most utilized statistic is that one boy out of seven is sexually abused; however, when researchers survey incarcerated offenders, the offenders acknowledge offences which, if projected, would suggest that the number of abused boys is much higher than one in seven. The problem is that boys often do not disclose that they are being victimized. The possible reasons for this are:

- Boys are taught to be self-reliant and to keep complaints of injuries to themselves.
- The stigma of engaging in homosexual activities prevents boys from reporting sexual abuse by a man.
- Since boys are socialized to seek sexual experiences with females, they are inhibited in reporting unwanted sexual experiences initiated by females.

- Boys may fear that they would lose their access to greater independence and unsupervised activities if they reported their sexual victimization experiences.
- Since boys are socialized to enjoy social interactions, their victimization clashes with their perception of masculinity, and they are discouraged from reporting their sexual abuse.
- The media have focused their attention primarily on the abuse and vulnerability of girls rather than boys.

VICTIM-CENTRED RESPONSE

A victim-centred response takes into account two major concepts. The first is a recognition of what factors place our children at risk. The second looks at the risk of sexual victimization from the perspective of the offender.

RISK FACTORS FOR CHILD SEXUAL ABUSE

Two researchers in the sexual abuse area, David Finkelhorn and Larry Baron, reviewed a number of surveys concerning a given person's relative risk of experiencing sexual abuse during childhood. Interestingly, the research did not find an association between child sexual abuse and socio-economic status or race. Several other conditions, however, have been associated consistently with higher risk of abuse. These conditions include:

- The child lives without one of the biological parents.
- The mother is unavailable to the child as a result of employment outside the home, disability, or illness.
- The parents' marriage is unhappy or conflictual.
- The child has a stepfather.

FINKELHORN AND BARON STUDY - 1986 - REPORTED IN THE JOURNAL OF INTERPERSONAL VIOLENCE - RISK FACTORS FOR CHILD SEXUAL ABUSE

The four conditions that must exist for sexual abuse to occur:

- There must be an offender with the motivation to abuse sexually.
- The offender must overcome the internal inhibitions against abuse.
- The offender must overcome the external obstacles to abuse.
- The offender must overcome resistance by the child.

Solutions to the problem of child sexual abuse cannot focus only on charging the offender and offering counselling to the victim. A comprehensive solution to the problem involves learning ways to influence offenders to stop their behaviours. Controlling the offender's abusive behaviour must involve both the criminal justice system and the mental health system. Intervention, in the form of both therapy for the offender and safety planning for any children in proximity to the offender, offers some hope that the behaviour will be controlled and no further victimization will occur for any child.

Primary prevention programs must be aimed at educating the public. The most frequent areas of concern in relation to child victimization as they relate to public perception are intriguing. People in the community might say that they worry about strangers inviting children to come to their cars and, perhaps, abducting them and sexually assaulting them. That is not the case. Eighty-eight percent of all abusive sexual activity is between a child and an adult known to the child. Many cases involve children who are sexually abused by someone in their immediate and/or extended families.

A well-planned Victim-Centred Response:

- considers the victim first and foremost;
- minimizes system-induced re-victimization;
- provides treatment services for the victim, the family, and the offender;
- involves a community-based, co-ordinated, and multi-disciplinary team;
- includes public awareness and prevention.

VICTIM-CENTRED RESPONSE INTERVIEW

Framework for Investigations

Work must be purposeful, well thought out, and performed jointly with police and other community service providers, i.e. medical experts, school personnel, children's mental health professionals. Work cannot be done without proper planning and preparation. The work must be done by knowledgeable and skilled people who have the dedication and the necessary time available to them to do the work well. Organizations must resource child abuse investigation units appropriately and ensure that the proper supports and guidance are available for investigators.

Statement Validity Analysis is one framework that is endorsed in both the policing and child welfare education systems. It has three components:

- (a) Structured Interview
- (b) Criteria-Based Content Analysis
- (c) Validity Checklist

Structured Interview

This is a framework that is based on sound testing and research in the field. It is a framework that requires that the interview with the child be well planned and carefully executed. It is based on purposeful and planned process, resulting in an interview and a subsequent process that are child-centred. However, it is a framework that requires the investigator to have skill- and abilities to interview children, using methods that are cognizant of the child's needs and of the justice system's demands.

The Structured Interview has predictable phases:

- Preparation and planning
- Rapport-building - truth vs. lie
- Free narrative
- Cue questions
- Probing questions
- Direct questioning
- End of the interview

Rapport Building - Truth vs. Lie

The purpose of the second phase of the structured interview, rapport building, is two-fold:

- (i) it provides a key time to assess the child;
- (ii) it develops and increases comfort.

It is a myth that children cannot remember as much as adults. Research shows us that children remember as accurately as adults, but remember fewer details. Children, as well as adults, remember from their own perspectives and experiences. Memory is a developed skill and comes with experience and practice, and children are more likely to leave out details or information. The true challenge is for the interview to be conducted in a method that encourages memory but is not suggestive. There is a need to assess the child's ability to understand the necessity of telling the truth, both for the investigation interview and for the court process when the Crown presents the case.

New research shows that children will steadfastly keep their promise to tell the truth or not to break a secret. By age four, children understand the difference between truth and lie – that the truth corresponds to reality; that a lie is not reality; and that it is bad to tell a lie. Therefore, it is the responsibility of the interviewer to ask the child questions that the child can understand.

There are three approaches to testing truth vs. lie:

- (i) Explain the differences: 4-year-olds are not able to do this; 7-year-olds and some adolescents find this difficult.
- (ii) Define truth and lie: This may be difficult for some 7-year-olds.
- (iii) Identify which is truth and which is lie: By age 5, most children can identify truth, lies, and untrue statements.

Child Development

There are four principles of child development:

1. Children construct their own rules of how the world operates. These rules are based on the child's experiences in the world to date, the child's perspective on those experiences, and the child's abilities.
2. Children develop at predictable stages and phases.
3. Within each stage, there are great differences between children.
4. Each child has skills that develop at different rates than other skills, e.g. the ability to kick a ball vs. the ability to draw.

The understanding of child development comes from the understanding of four domains: physical, cognitive, social, and emotional. Development in one domain affects and is affected by the development in all of the other domains.

Cognitive Development

Cognitive development includes: thinking, perception, memory, reasoning, concept development, problem solving, and abstract thinking. Language development requires symbolization and memory, and therefore, is one of the most important and complicated cognitive activities. Language is different from speech. Understanding and formulating language is a very complex, cognitive activity. Speaking is a motor activity controlled by a different part of the brain.

Preschool Children (ages 2-5)

Previously, police believed that there was no role for police to interview this age group. However, there are an increasing number of cases where children as young as 4 or 5 are testifying in court. Therefore, it is important for both the CAS and the police to understand this age group. This is a stage of accelerated growth and development, spontaneous and uninhibited learning through mimic, and motivation to learn from curiosity.

Cognitive: Limited vocabulary; a vague understanding of time; difficulties understanding cause and effect; magical thinking; egocentric thinking, i.e. the world is as the child views it and he/she is unable to understand others' perspectives; tendency not to generalize experiences from one situation to another.

Impact on the investigation: Do not ask children about time. Use words that are more concrete, such as "something" rather than "anything." The function of an object is understood only by previous experiences, e.g. ejaculation may be described as urination; for this age group, an adult of any size is a big person.

Primary Grades (ages 6-9)

Learning is through mimic and practice, increased peer contact, experimental interactions, team sports. Children are most comfortable in an environment that is structured and has rules.

Cognitive: Better understanding of cause and effect; however, remains concrete. Limited abilities to understand others' perspectives; therefore, beginning to understand that some things that happen to her are not her fault. Can understand time better – understands days, weeks, seasons, but still struggles with understanding months, years, before, after.

School-age, Latency, Pre-adolescence (ages 9-12)

Increased peer contact, onset of puberty, inhibited and uninhibited.

Cognitive: Some beginning to think and reason abstractly and to recognize complex causes of events. Able to understand perspectives of others. Understands time concept. Can generalize experiences from one setting to another and can adapt own behaviours to meet different expectations of different situations. This age group is eager to please adults, which can have an impact on the investigation interview. They have strong moral judgment.

Early Adolescence (ages 13-15)

Puberty, peer interactions - primary social agent, increased experimentation, emotional ups and downs, feelings of being out of control, desire to be independent, fear of appearing less competent than others.

Cognitive: Beginning to think abstractly; however, most adolescents remain concrete thinkers. Increased ability to perceive other's point of view; can identify and communicate own feelings; feelings of privacy; shame and embarrassment are easily evoked. This age group also is very reluctant to admit that they do not know something. Much of their knowledge of sexuality has come from peers and may be inaccurate, or the teen may not really know what the slang or words mean. These feelings affect the investigation interview and contribute to a teen's being reluctant to disclose details of the abuse.

Disclosure Research

Research shows that children aged 4 are very reluctant, for two reasons, to identify the interviewer as telling a lie: (1) He/she is an adult; (2) It is bad to tell a lie.

This research has been conducted with a large sample of children from chaotic and abusive families. The children were interviewed at the medical centre where they were being seen at admission and taken into the care of child protection agencies because of abuse or neglect.

Research of a representative sample of functioning families showed that children aged 3 to 4 years did very well in the tests. It showed that, at early ages, children know it is wrong to tell a lie before they can define what a lie is. Therefore, during the reporting stage, specialists recommend the use of character drawings with talk bubbles.

Why do children not tell or not report everything? Research on threats involving children aged 5 to 6 years indicates that they are the most vulnerable not to tell. Thirty-five to fifty percent of children diagnosed with STD fail to disclose. The greater the threats, the less likely people are to disclose, and for children, the greater the likelihood of omitting information. This is due to the fear of:

1. losing the affection and goodwill of the offender;
2. being blamed or punished;
3. being harmed;
4. causing retaliation against someone else.

In one research study, an adult spent 20 hours with children aged 3 to 4 years to build a relationship. The children and the adult were told by a teacher not to play with a particular

toy. The adult did play with the toy and broke it. He then pleaded with the children not to tell because he would get into trouble. Most of the children, when interviewed, refused to say anything about the broken toy, and only a few provided any information, much of which was misleading.

When aggressive methods are used to threaten or to manipulate, 39% of children report immediately, 43% fail to report. When manipulation only is used, 25% report immediately. With threats of lesser aggression, 23% disclose immediately.

CONCLUSION

A victim-centred response investigation process involves joint work between investigators and agencies. Investigators must be skilled, competent, knowledgeable, and unbiased. Interviews must be structured, thorough, and child-centred. Information is gathered at key times from all other sources, especially care givers.

The Sex Offender - "A Profile"

Kenneth V. Lanning,
Supervisory Special Agent,
Federal Bureau of Investigation,
Missing and Exploited Children Task Force,
FBI, Quantico, Virginia

Going on-line on a computer places the investigator in a bizarre world, where disgusting things and subject matter can be the norm. But is it real or nothing more than perverse, rhetorical narrative. What can an investigator do about it?

There are obligations. The potential of reality in the guise of fiction must not be ignored. The dilemma is: Is the narrative information a story – a piece of fiction a la Stephen King – or is it a fantasy without desire of fulfilment? Is it a diary – a record of some past events? Is it a plan of something that the writer might do in the future? Does it constitute a threat? Does it mention specific people? The investigator must take a balanced approach, see what checks out, and proceed in a logical, professional manner.

There are different kinds of sex offenders. It is important to understand their unique natures, to develop proper interview strategies, and to achieve the desired outcome of finding out the truth. It is not good enough to say: "I'm a cop. I'm an investigator. I find these criminals. I get the evidence. I arrest them and I lock them up. I don't care what kind they are!"

Offences may be situational, non-sexual, sexual, fixated, or regressive. Child sex abuse cases are difficult. They often have no corroborative evidence. Interview techniques include questions of the accused, such as: How many victims are there? Are there multiple victims? Is pornography involved? Where is it kept? Where does he save it? How long is it kept? What does it mean? The answer to many of these questions lies in the type of offender being interviewed. Remember: Individuals propelled in their criminal actions by compulsive, need-driven behaviour are more likely to make mistakes. It is not about thinking. It is about action. It is an attempt to turn fantasy into reality, which makes offenders vulnerable to proactive investigative techniques.

The experience in the United States has shown that many child sex offenders will give police consent to search, so that they can explain what they are doing; they want to rationalize. Interviews with these individuals will reveal only two things: that which you know or which they think you know, and that which they can rationalize. It is critical to the progress of an interview to help such individuals rationalize and, in so doing, expose information necessary for evidence.

For a law enforcement officer, it is irrelevant if the sex offender was a victim, but if talking about being a former victim helps in the confession of a current crime, it is a valid approach toward seeking truth in the current criminal investigation.

Preferential offenders are the primary sexual exploiters of children. They have four general characteristics which can interact with each other:

1. They exhibit a long-term, persistent pattern of behaviour. The roots of their arousal patterns go back, at the very least, to their adolescent years. They may not have acted out the fantasy then, but we are seeking evidence of a long-term, persistent pattern; not an isolated, situational phenomenon.
2. They have specific sexual interests: i.e. children with little toes, tying children up, boys under 12 with blond hair, etc. They can have multiple interests.
3. They have a well-developed technique for whatever it is they do sexually: i.e. grooming, manipulating, seducing children. They listen to children when their own parents do not. They shower children with attention, affection, and kindness – in effect lowering their inhibitions. Many of the children do not even realize that they are victims and that they are being used.
4. They tend to collect pornography, paraphernalia, mementos, records; they record their fantasies. Their behaviour is designed generally to turn fantasy into reality.

What percentage of child molesters collect child pornography? No one knows, but it appears that most do not collect such pornography because their sexual fantasies are not about children. Most child molesters attack children because they are weak, vulnerable, and available. If pornography is found, it will more likely be adult pornography.

Preferential offenders whose sexual and erotic fantasies do focus on children are the ones most likely to collect pornography. They account for a minority of child molesters, perhaps between 30 to 50 percent.

What percentage of child pornography collectors molest children? We do not know, but "best guess" estimates from the FBI and Postal, Customs, and law enforcement agencies put the number at 25 to 50 percent. It also means that between 50 to 75 percent of child pornography collectors may not be molesting children.

Offenders on the computer fall into three categories:

1. Dabblers – teenagers, curious adults. They are not compulsive, need-driven, preferential offenders.

2. Preferential offenders – sexually indiscriminate, involved in the swinging scene, tri-sexual and willing to try anything sexual, driven by needs but diverse interests.
3. True paedophile – focus predominantly on children.
4. Miscellaneous offenders – individuals who, technically, break the law for a variety of reasons, but are not clinically-registered sex offenders.

Detecting and Combating Strategies

A Reasonable Approach to the Prosecution of Sexual Exploitation Cases

Terry Lord, JD, BA,
Acting Chief,
Child Exploitation Section,
Criminal Division,
United States Department of Justice

It is important to remember that there is no such thing as a perfect case. Every case has difficulties, mistakes, and problems, all of which can be handled. It is also important to remember that working with children is a unique dynamic.

History of the U.S. Government Child Exploitation and Obscenity Section

The Section was first involved in child exploitation in the early 1990's. Most of its efforts are in child pornography and child exploitation cases. Under American Statute, the Child Exploitation Section of the Criminal Division, United States Department of Justice, prosecutes those who:

- possess, manufacture, or distribute child pornography;
- sell, buy, or transport children inter-state or internationally, to engage in sexually-explicit conduct;
- travel inter-state or internationally to sexually abuse children;
- abuse children on federal or Indian lands;
- do not pay certain court-ordered child support payments;
- transport obscene materials inter-state, by mail, common carrier, cable television lines, telephones, or satellites.

The United States Government provides U.S. attorneys across the country to prosecute such cases. The attorneys are experts in these particular areas of the law. They provide co-counsel in such matters, representing the U.S. Government.

Undercover On-line Investigations

On-line investigation is an area that requires a certain level of expertise and a degree of co-operation between agencies such as Customs and the Postal Service. National protocols/guidelines for computer investigations are necessary to ensure consistency and to avoid legal impediments. Agencies require a uniform data base to avoid overlap and the problems of two police agencies unwittingly working on the same offender. Undercover on-line investigations highlight the need for national prosecutors who have expertise and can assist communities requiring that expertise.

Until 1996, the United States did not identify a proper definition for child pornography beyond sexually explicit conduct. Now, U.S. Statute gives a broader definition. It is considered an offence if the image is an older youth and not an actual child; however, it must be an identifiable child. Name recognition is not required, but the image must represent a child. Previously, the Government had to show that the image was a natural, "real" child. While the Courts have ruled that this is a determination that a jury can make, the creation of computer-altered images has created a problem. The new definition of child pornography will allow U.S. prosecutors to prosecute those who may not use an actual child in the production of child pornography.

Health Issues in Child Sexual Abuse

SCAN Program, November 1997

Dr. Marcellina Mian, FRCPC, FAAP,
Director, SCAN Program,
The Hospital for Sick Children,
Toronto, Canada.

MEDICAL EVALUATION OF SUSPECTED SEXUAL ABUSE

The purpose of medical evaluation in cases of suspected sexual abuse is to provide treatment, to provide reassurance, and to collect crucial evidence.

The timing of the medical examination depends on the time interval between the abuse and disclosure, as follows:

- Within 24 hours: immediate.
- 24 to 72 hours in post-menarchal and immediately pre-menarchal girls: as soon as possible.
- More than 24 hours: by appointment.

The setting of the medical examination can be a hospital emergency room, a paediatrician's office, a sexual assault centre, or a child advocacy centre.

Medical information to be obtained includes the following:

- In cases where allegations have been made and authorities are involved:
 - . alleged sexual acts
 - . medical symptoms
- In cases where allegations have been made, but no authorities are involved:
 - . alleged sexual acts*
 - . psychosocial data*
 - . medical symptoms*

- In cases where there are no allegations, but a suspicious presentation:
 - . possible sexual acts*
 - . psychosocial data *
 - . medical symptoms*
- Sufficient to make a determination re reporting.

Physical Examination

The physical examination must not be forced. Make the child comfortable and explain everything beforehand. Stop if asked to or if the child becomes distressed, and examine the child under anaesthesia. The following components must be included:

- . head-to-toe examination
- . emotional state
- . tanner stage of puberty
- . genital exam
- . anal exam
- . STD specimens
- . forensic specimens (sexual assault kit)

Medical Findings:

| | |
|---------------|--|
| Normal: | includes all normal, anatomic variations |
| Non-specific: | several possible causes including sexual abuse or congenital, functional irritation, infection, superficial trauma |
| Suspicious: | rarely seen in non-abused children |
| Suggestive: | signs of penetrating injury without such accidental history, or two or more suspicious genital or anal findings |
| Definitive: | sperm or acid phosphatase, pregnancy, chlamydia, N. gonorrhea or HIV without other explanations |

Definitive findings indicate sexual abuse even without such history. The significance of all other findings depends on available history.

Abnormal Medical Findings:

Causes other than sexual abuse include:

- . urethral prolapse
- . urinary tract infection
- . non-specific-vulvovaginitis
- . strep vulvovaginitis
- . lichen sclerosus et atrophicus
- . pinworms

SEXUALLY TRANSMITTED DISEASES AND SEXUAL ABUSE OF CHILDREN AND ADOLESCENTS

Non-Specific Vulvovaginitis (NSV)

Sexually Transmitted Diseases:

- Gonorrhea
- Syphilis
- Chlamydia
- Trichomonas
- Herpes I & II
- Venereal Warts (Condyloma acuminatum)
- HIV
- Candida Albicans (Yeast)
- Bacterial Vaginosis (Gardnerella)
- Molluscum Contagiosum

| TYPE OF STD | INCUBATION PERIOD | CARRIER | RECURRENCE STATE |
|-------------|---------------------------------------|----------|------------------|
| Gonorrhea | 2-7 days | No | No |
| Syphilis | 10-90 days (average 3 weeks) | Years | No |
| Chlamydia | 1 week + | Months | No |
| Trichomonas | 4-20 days | ? Months | Yes |
| Herpes | 2-14 days | Years | Yes |
| Condylomata | weeks-years (average 1.5-8 months) | Years | Yes |

Clinical Manifestations of STD's:

Genital

Discharge: Gonorrhea, Chlamydia, Trichomonas
 Sores/Blisters: Herpes
 Warts: Condyloma acuminatum, Syphilis

Other

Pelvic Inflammatory Disease, Proctitis
 Rash
 Stomatitis, Pharyngitis, Pneumonia
 Conjunctivitis
 Arthritis
 Encephalopathy, Neuropathy

FEMALE GENITAL MUTILATION - "FEMALE CIRCUMSION"

The practice of female genital mutilation (FGM) affects 80 million women and girls worldwide and is practised by many ethnic groups in more than 30 countries, most of which are across the center belt of Africa and parts of Asia. Until the 1940's and 1950's, FGM was also performed in Europe and North America.

The rationale for FGM is that it is a prerequisite for marriage. Women are deemed to be impure and unmarriageable without it. It is typically arranged and performed by women and is usually done between 4 and 10 years of age. It is deemed to be therapeutic treatment for hysteria, lesbianism, masturbation, and other forms of sexual deviance. There is no religious requirement, either in the Koran or in many strictly Islamic states.

FGM and Gender Politics

- Women are considered property, i.e. chastity belt; higher price for purer bride.
- Increased pleasure for men.
- Has been affected by the emancipation of women.

Types of FGM

- | | | |
|---|--------------|---|
| - | SUNNA | - removal of clitoral hood only. |
| - | EXCISION | - removal of clitoris and labia minor. |
| - | INFIBULATION | - removal of clitoris, labia minora and inner majora, and closure of all but a small hole in the vulva. |

Acute Complications of FGM

- Pain
- Haemorrhage
- Infection
- Death
- Urethral damage
- Anal sphincter damage
- Psychological trauma

Long Term Complications of FGM

- Urinary tract
- Genital tract
- Sexual difficulties
- Infertility
- Difficulties in childbirth
- Fetal morbidity during birth

Differences in Circumcisions by Gender

Male

Religious
Minimal mutilation
Pain
Few complications
Few sequelae

Female

Traditional
Major mutilation
Severe pain
Major complications
Major sequelae

Policies and Legislation re FGM in Canada

The College of Physicians and Surgeons of Ontario Policy on Female Circumcision, Excision, and Infibulation, March 1992, states that "...performance of any of these procedures by a physician who is licensed in Ontario will be regarded as professional misconduct."

The Child and Family Services Act stipulates that any recent procedure, whether performed in or outside Canada, on a child resident in Canada must be reported to the mandated authorities. A suspicion that a child resident in Canada is to have this procedure performed, in or outside Canada, should be reported to the mandated authorities.

Psychological Trauma

Coping with Tragedy

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Child Psychiatrist/Staff Psychiatrist,
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Trauma, unfortunately, occurs too frequently in the lives of Canadians. The full impact of early trauma on the brain, nervous, and endocrine systems is only now beginning to be understood. These changes affect the way the nervous and endocrine systems develop and memory is stored, and have a profound effect on subsequent human development.

Such changes in development alter many human physiological and psychological characteristics. Sexual abuse accelerates the development of puberty. The ability to trust is altered. Self-esteem is altered for the worse. The ability to establish psychological boundaries is hampered. Anger management skills fail to develop. Small triggers can cause re-establishment of traumatic states and may make life intolerable through the mechanisms of post traumatic stress disorder. Anxiety, depression, panic attacks, personality disorders, and psycho-physiological disorders are more frequent.

If trauma is early and severe, the development of integration of ego states is blocked, and experience tends to be fragmented in dissociative disorders. Workaholism, sexual addictions, drug and alcohol addiction and abuse, adventurism, repeated victimization, self-injury, and many interpersonal dysfunctions are used to avoid the experience of internal pain and distress and are, therefore, much more frequent.

Persons traumatized in early life are more likely to be re-traumatized in later life and to develop symptoms after later trauma. They may chose, or more correctly, be chosen, by sexual partners who are abusive, and they often remain in abusive relationships that they normalize. They become dependent on success in parenting and the love and support of their children, which makes them ineffective limit-setters who can be controlled by their children. Their children often become abusive of the parent who is vulnerable, and their refusal to accept limits may spread from home to school and community, resulting in school drop-out, antisocial and criminal behaviour.

The Media Response

Public Denial

Judy Steed
The Toronto Star

Due to the sensitivity of comments in this presentation, the presenter requested that no recording take place.

Cyberporn - The Insidious Tool

Detective Staff Sergeant Bob Matthews
Ontario Provincial Police
Project "P"

Project "P" was formed in 1975 by the Attorney General of Ontario to determine if obscene material and Organized Crime were correlated and whether the connection was real. The connection was found.

At that time, the operation was a joint forces project involving the Metropolitan Toronto Police Service and the Ontario Provincial Police. The Unit has expanded greatly since its origins. Its current mandate is to investigate those persons and companies involved in the illegal possession, manufacture, distribution, or sale of obscene materials and tele-pornography in the Province of Ontario. The Unit is so inundated with the issue that, currently, it can investigate only child pornography.

The Unit provides advisory assistance to other police agencies and crown counsel across Canada. It actively liaises with Canadian and U.S. Customs and Postal authorities, primarily the Federal Bureau of Investigation.

The Criminal Code of Canada Section 163(8) defines obscenity, stating that "For the purposes of this Act, any publication a dominant characteristic of which is the undue exploitation of sex, or of sex and any one or more of the following subjects, namely, crime, horror, cruelty, and violence, shall be deemed to be obscene."

In 1992, the Supreme Court of Canada ruled that explicit sex acts between consenting adults were legal, providing they were non-violent, non-degrading, and not dehumanizing, and did not involve the use of children. It was not deemed an offence to possess pornography – only to distribute it. Canadian contemporary standards were considered integral to the definition: that meant what Canadians as a whole would tolerate; not what a specific community would tolerate. Tolerance between farming and university communities might differ, but the judgment by a court would have to determine what the country would tolerate in totality.

In 163(b) CCC, child pornography is defined as a photographic film, video, or other visual representation, whether or not it was made by electronic or mechanical means. This is a very broad definition. It can be on computer or in print form, among other items. Cutting dolls' heads from a catalogue and integrating them through photos obtained at an adult bookstore can generate de facto child pornography.

Anything that shows a person who is or who is depicted as being under the age of 18 years, who is engaged in or is depicted as engaged in explicit sexual activity, the dominant characteristic of which is the depiction of a sexual organ or the anal region of a person under the age of 18 years, is considered child pornography.

Child pornography includes any written material or visual representation that advocates or counsels sexual activity with a person under the age of 18 years. The Bill on child pornography, making it an offence to possess child pornography, was enacted by the Parliament of Canada in August 1993.

According to police investigators, what is child pornography? It is the permanent record of a child involved in explicit sexual activity. You cannot have child pornography without exploiting a child. It scars children for life.

Section 163(2) deals with the offence of making child pornography. Any person who makes, prints, publishes, or possesses for the purpose of publication, any child pornography is guilty of an indictable offence punishable by 10 years in jail or by summary conviction. Almost all cases proceed by indictment. Every person who imports, distributes, sells or possesses for the purpose of distribution or sale of any child pornography is guilty of an offence liable of up to ten years.

There are four defences under child pornography legislation. The Court shall find the accused not guilty if the representation of the written material is alleged to have artistic merit or educational, scientific, or medical purposes.

The International Perspective

Chief Julian Fantino,
London Police.

By our estimates there will be tonight upwards of a million children in Asia alone who will spend the evening providing sexual services for adults.

Mr. Ron O'Grady,
International Co-ordinator,
ECPAT
(End Child Prostitution in
Asian Tourism)

Clearly, this Conference represents a significant initiative in terms of recognizing and appreciating the serious threat posed to our children by adults who seek to victimize them sexually. Moreover, slowly but surely, the conscience of the world is finally beginning to awaken to meet the many challenges that face nations, institutions, agencies, professionals, parents, and ordinary citizens respecting our individual and collective responsibility to protect the children of the world: the most helpless, powerless, and vulnerable component of our fragile society. This is also an issue about which Canada, for the most part, remains in a state of chronic denial.

My presentation today will focus on two main areas:

1. Overview of the Problem; and
2. Overview of Potential Solutions.

Overview of the Problem

The explosion of world travel, technology, and communications systems and the evolution of nations without traditional borders are some of the factors projecting society into a new era of globalization. These are profound advancements that also create new pressures on everyone, especially the children of the world who are becoming the first casualties as we move towards a global society. Obviously, the causes that have an impact on the sexual victimization of children are multi-faceted and extremely complex, and I can address them only minimally and superficially in my brief presentation.

Deteriorating social standards and moral values, commercialism, self-gratification, and above all else, a lack of political resolve worldwide are some of the factors that, either by passive acceptance or by mere wilful blindness or denial, allow the children of the world to become commodities in a perverse and cruel subculture that includes the buying and selling of children in Third World countries, smuggled across borders or otherwise marketed locally to meet the demands for child sex from foreigners, including Canadians!

Hard to believe? A few years ago, I would have been shocked along with you! The stark reality is simply undeniable: Children are forced into child slavery, bought and sold, forced into child pornography and other activities involving sexual exploitation; a global trade in children, promoted by international cartels of criminals, including Organized Crime enterprises and sex abusers that cross all national boundaries, economic or social status, professions, and walks of life.

"Every child is entitled to full protection from all forms of sexual exploitation and sexual abuse." This premise is reaffirmed by the Convention on the Rights of the Child, an international legal instrument of universal significance (of which there are 187 member states), in which member countries are required to protect the child from sexual exploitation and sexual abuse and promote physical and psychological recovery and social reintegration of the child victim. At least that is what 187 countries have agreed formally to do.

Also, although child prostitution often is blamed on the sex tourists, the reality is that child prostitution is primarily a local problem. However, this is one aspect of the problem many countries prefer to downplay or minimize. Oftentimes, children in need, and not only in Third World countries, are sexually exploited into prostitution in slave-like conditions, in brothels, hotels, motels, bars, beaches, and the streets. In some developing Third World countries, child prostitution and the sex trade as a whole are a matter of economics, where the problem is given mere lip-service by political leaders.

The escalating fear of AIDS and other forms of sexually transmitted diseases is leading to an even greater demand for younger sexual partners. Children used to be substitutes for adult prostitutes. Now, however, there is a marked increase in preference for children over adults, pushing up the worth of children on the world sex market. Clearly, paedophiles are eagerly pursuing the youngest children - the younger, the better!

Ironically, as if sexual abuse was not victimization enough for a child, sex between a man and a child renders the child particularly vulnerable to the transmission of the HIV virus. The physical disproportion between the child and the adult, and the fact that a child is unable to fight back, no matter how rough the sex or how long it lasts, are all aggravating factors that expose the child to even greater risk and harm.

As was stated at the Congress Against the Commercial Sexual Exploitation of Children, held in Sweden in August 1996:

The commercial sexual exploitation of children is a highly profitable business. This is best borne out by the fact that not only does it involve ad hoc or individual 'entrepreneurs,' but also it is very often conducted by international profiteers using systematic methods of recruitment within a highly-organized, syndicated network, often also involved in other criminal activities such as drug dealing.

In practical terms that we all can understand, the tentacles of Organized Crime have taken hold of yet another illicit, lucrative world market in which the commodity is the child. Hard to believe, but true!

On the one hand, we have this extraordinary and debilitating world problem that represents a predatorial and systematic crime committed against children, while in contrast, we also have denial, ignorance, wilful blindness, and lack of determination and resources dedicated to the recovery and protection of children from the clutches of evil adults who seek to exploit them sexually.

There can be no ambivalence in declaring, at all levels of society worldwide, the blatant illegality and immorality of the sexual exploitation of children, be it in the slums of Thailand or in a private dwelling in the city of London, Ontario. Neither can we continue to be fooled by the self-serving rhetoric of those who are participants, apologists, or proponents of so-called 'inter-generational sex' -- their perverted version of what every sane and responsible person recognizes for what it is: "The brutal and criminal victimization of the most vulnerable and helpless components of our society - the children." Don't be fooled by the rhetoric about freedom of expression, or accusations of homophobia or discrimination vis a vis sexual preference and the like. Unequivocally, and without apologies, we are dealing with one critical issue only: premeditated criminal conduct committed exclusively against children. Nothing more, nothing less. No amount of attacks, rhetoric, propaganda, or what have you can ever distort -- not legitimately at least -- the reality of a particularly brutal and cruel crime of extraordinary, worldwide proportion.

Putting the problem into perspective: regardless of the sophistication of the global society; the enormous advances made in the areas of medicine, science, and technology; the era of instant, real-time communications capabilities; and of course, a myriad of agencies, mandates, programs, initiatives, laws, and more; children all over the world remain in a state of vulnerability and continue to be at grave risk. Yet, for the most part, the sexual exploitation of children remains a grossly unappreciated, under-reported, wilfully invisible, and largely misunderstood brutal crime that systematically destroys children and their futures. Even in the most ungoverned kingdoms - animals protect their young!

It is, however, heartening to see some nations beginning in earnest to tackle the problem. A good example of this is Australia, which recently has been shocked into reality following a Royal Commission in New South Wales that exposed, beyond belief, the pervasive, widespread sexual exploitation of children, that included the Churches, police corruption, and a great deal of public apathy. Having read the extensive findings of Supreme Court Justice J.R.T. Wood, with the exception of the piece on police corruption, I can easily close my eyes and identify significant similarities right here in Canada. Hopefully, Canada will not also need a Royal Commission to bring our society to the sobering realization of a serious domestic and international problem that is clearly evident to anyone who cares enough to be educated, and who is willing to withstand the vicious attacks of individuals and organizations who have been able to divert attention away from the core issue: the brutal, cruel, and blatantly criminal victimization of children.

This is an issue that has absolutely nothing to do with otherwise lawful sexual orientation or activities. Worldwide, the network of paedophiles and their movement have penetrated professions, institutions, the media, and politics. They have availed themselves of every imaginable opportunity in the quest for power and control; and quite strategically, as an intended outcome, have been able to exert influence and pressure in efforts to manipulate public opinion; some of which, as I have personally experienced, by vicious attacks through a very public campaign in which at least two Canadian national media entities, The Globe and Mail and the CBC, became powerful accomplices. It is interesting to note the views expressed by the Australian Criminal Intelligence Agency concerning the powerful paedophile movement:

Organized paedophile criminal activity existed throughout Australia, and law enforcement efforts were limited by the overwhelming capacity of opposing forces, well entrenched and active at many key levels of Australian society.

Canadians, are you listening?

Overview of Potential Solutions

Here, too, time and the complexities of the issue limit the opportunity to address adequately the more positive, influential, and do-able aspects of our need to enhance protection for the children of the world who are ravaged by the paedophile movement, devoid of conscience and relatively unscathed by public outrage.

It is important to recognize at the outset that the protection of children is not solely the responsibility of certain mandated professionals, agencies, governments, and parents. This is a fundamental duty and responsibility of the global society, the family of nations; the task of individuals and institutions, especially those entrusted with the maintenance of the public good, peace, order, and good government - you and me included!

Obviously, the sexual exploitation of children is a vast problem for the world, since it involves most countries and benefits exploiters and paedophiles in different countries, with different laws, customs, and cultures. Accordingly, for obvious reasons, the problem must be attacked unilaterally by all nations, by all professionals, by all institutions and activists, especially those dealing with areas of human rights, education, health, social services, and law enforcement. This form of multi-disciplined, non-jurisdictional, broad-based, and fully integrated approach, with everyone working co-operatively in relevant areas of education, prevention, and enforcement, is a strategy, the potential of which is yet to be fully realized.

Admittedly, we are seeing some positive signs, and most certainly, we are able to show some moderate successes, and these we should, quite appropriately, celebrate. However, our global efforts to date are in no way even remotely effective in stemming the tide. The reality of the situation is not unlike digging a hole in the Sahara Desert: the void is quickly filled in.

A number of strategies and responses are being discussed at many levels of the world family of nations. Some examples:

- Sexual education in schools;
- Parental awareness campaigns;
- Counselling and assistance programs for children at risk and those already involved in sexual exploitation;
- Active involvement of the media, travel agencies, tour operators, and others with business connections to tourism, to define their positions on pornography and prostitution as a matter of professional ethics;
- Recognition that the child is a human being with unconditional rights. A human being is not owned by anyone.

Can you imagine, even with the arrival of the New Millennium, we find it necessary to recognize and remind ourselves of the fact that a child is a human being? Not so strange when one looks at this brutal crime from the perspective of the paedophile who considers the child to be nothing more than an object placed on earth to facilitate a perverse sexual urge: a commodity, a thing, a tool, or a toy to be used at will and over whom an adult has all the power while the child has none.

Paedophilia is a vicious exercise of power and control, obviously a power imbalance of outrageous criminal proportion. However, as much as social services, education, and prevention are critical aspects that must be well entrenched, valued, and resourced worldwide as a means to fight this scourge, efficient law enforcement must be another critical option needed to deliver a truly meaningful blow to the pervasive and predatory activities of those who traffic in children: the producers and distributors of child pornography; the procurers of child prostitutes; the local paedophile; and those who, by action or inaction, aid and abet the victimization of any child anywhere on earth.

We must do more to investigate and prosecute to the extent the international laws allow, and also to educate our prosecutors and judges, some of whom simply don't get it! Better knowledge, awareness, and criminal intelligence, and the sharing of same among the global law enforcement community are also a must. It is time to stop expressing mere concern and emotions. The nations of the world need to get their collective act together and get on with truly meaningful, child-centred initiatives, including the need to elevate the protection of children to a national and international priority. In the words of The Honourable Lloyd Axworthy, Minister of Foreign Affairs, Canada, Stockholm, Sweden, August 1996:

It is wrong to exploit any person. It is even more wrong if that person is a child. And when abuse takes the form of the commercial sexual exploitation of the young, it is an abhorrent criminal act, and we must put an end to it.

That really says it all, with one exception: The good will, commitment, and dedication in efforts to enhance protection for children who are preyed upon by adults seeking to abuse them sexually has been a long time, ongoing priority of front-line child welfare, education, health, and law enforcement professionals. These are the unsung heroes, often maligned, unsupported, viciously attacked, and undermined by the evil politics of an influential paedophile movement that has intimidated an awful lot of people, including some political leaders! Hopefully, with the advent of the New Millennium, the family of world nations and their leaders will finally become more informed, intellectually and factually, about the many issues that prevail and develop the moral and political courage to deal more effectively with a very serious, global public safety threat.

Obviously, our children need more than political statements or laws for the sake of laws. What is critical in the fight against the sexual exploitation of children is the meaningful resolve to translate the well-intended policies into operational plans by dedicating the resources necessary to deal effectively with an escalating world problem. Certainly, through the efforts of the Interpol Standing Working Party on Offences Against Minors, in which Canada is an active participant, the focus and conscience of the world is being awakened like never before.

Obviously, I could go on at great length. However, this aspect of information-sharing, as with the Conference as a whole, is intended to expand our collective awareness about the many complex issues that impact. I certainly don't hold out any quick fixes or absolute solutions. I do, however, hold a great deal of optimism and hope because, truly, we can make a significant difference. We just need to get on with the program!

I trust that we can find the courage, acquire the knowledge, and make the commitment as caring citizens of the world. As was so beautifully stated by Ms. Margaret Healy, Executive Committee Member of ECPAT International (End Child Prostitution, Child Pornography, and the Trafficking of Children for Sexual Purposes), Buenos Aires, Argentina, March 1997:

Too many powerful people around the world have a vested interest in using children as a means to facilitate their sexual interest in children. Others still have not appreciated the value of children, their vulnerability and worth.

Further:

Those of you who are pursuing efforts in this very difficult area - continue your efforts - do not be discouraged - and when you feel particularly helpless, remember your own children and those of your community.

Clearly, those eloquent and very compelling comments say it all!

Project "Guardian"

A Multi-Victim, Multi-Offender Case of Child Sexual Exploitation in London, Ontario, Canada

Deputy Chief James Balmain, and
Staff Sergeant Kenneth Heslop,
London Police

In September 1993, a police investigation began with the accidental discovery, by a young man out for a day's fishing, of 40 discarded videotapes in the Ausable River just north of London. When viewed by police, the videotapes revealed explicit sexual acts involving young boys, teenage males, and adult men. In the early stages, the criminal investigation into the origins of the tapes and the identities of the individuals portrayed was referred to as Operation "Scoop." As the police probe expanded, it was apparent that more than just pornography was involved. The focus of the investigation was broadened to deal with the larger problem of the sexual exploitation of male youth in the London area.

In order to address the magnitude of investigative work that was required, provincial funding from the Ministry of the Solicitor General of Ontario was requested by the Chief of the London Police. The Ontario Provincial Police, the Metropolitan Toronto Police, and the London Police joined efforts in an investigation that became known as Project "Guardian."

The scope of this child sexual exploitation and pornography investigation made it the largest of its kind in Canada. Eighty-four victims were identified, and 64 suspects were charged. By the end of the investigation in November 1995, 2,296 interviews had been conducted and 5,305 charges laid. In total, 2,200 videotapes, 781 magazines, and well over 12,000 photographs were seized.

The revelation that so many male youths had been sexually exploited in the community of London resulted in mixed reactions. For many, it gave rise to feelings of shock, anger, and incredulity. How could so many cases of sexual exploitation of male children have occurred without anyone knowing about it? Community professionals, many of whom were involved in providing services to youth, were at a loss to explain their ignorance. Others in the community expressed the view that adult male homosexuals were being scapegoated by a homophobic police service and that the scope of the investigation was not limited to child victims.

The most disquieting factor became the realization that there was a total lack of awareness of these clandestine activities. Indeed, many professionals learned, after the fact, that

male youths in their caseloads, in their classes, or even in their "care," were trading sex for consideration.

Accordingly, three agencies, The Children's Aid Society of London & Middlesex (CAS), the London Police, and the London Family Court Clinic, joined forces and embarked on a research study to reach a better understanding of the systematic sexual exploitation of male youth in London. One of the most striking findings of the study was that there were no purposeful disclosures by the Project "Guardian" youth to any mandated agency. The saying "A picture is worth a thousand words" certainly rang true in this case, where an accidental discovery of videotapes launched an investigation that uncovered large-scale sexual exploitation of male youths. It is likely that these activities would have continued unabated without the videotapes.

Results of the research demonstrated that slightly more than one-third of the youths were involved in what could be described as a "solo ring," where they were involved with one defendant who had sexual contact with other boys. At least one-fifth of the youths were involved in what can be described as "transition rings," where they were involved with anywhere from three to ten defendants. Just under one-third were involved with anywhere from ten to twenty-five defendants. By far, most of the youths' involvement in the sexual exploitation was consistent with what Weisberg (1964) has termed "situational prostitution" – boys who were occasionally involved in sex for consideration, but only under certain situations and conditions (i.e. they needed money, drugs, or shelter).

The length of time that these youths were involved with Project "Guardian" varied greatly, with the majority of youths involved anywhere from six months to three years. Almost one-third of the youths were involved long term, for over three years.

The making of pornography occurred in about 40 percent of the cases, usually in conjunction with sexual favours. Safe sex was not practised, and as a result, the youths were at great risk for STDs and HIV.

One question asked by everyone who heard about the case related to characteristics of the youths who were involved in Project "Guardian." Many assumed that the youths represented a sub-group of youth that differed significantly from the mainstream. It is important to mention that the youths were exclusively male, as were all the defendants. The majority of the youths technically were living at home and attending school at the onset of their involvement. All were under the age of 18 when they first became involved sexually with the defendants. The age range was quite broad, from as young as 8 to as old as 17 years. One-third of the youths were 12 or 13 years old at onset, and half of them were under the age of 14 when first involved. (Note: the legal age of consent to sex is 14.) A full 70 percent of the youths were 14 and under, reflecting the preoccupation with young males by the adult defendants in this case.

As a group, these youths tended to be from highly dysfunctional homes characterized by alcoholism, spousal violence, and drug abuse. Two-thirds of the youths and their families were known to the CAS and had received varying levels of service over the years. The primary reason for the CAS referral was identified as neglect. A research finding that many of these youths came from neglectful homes, where there was a lack of attention, guidance, and supervision, was no surprise to the police officers involved in the investigation. What was quite unexpected was the extent to which these youths lacked appropriate familial male role models in their homes. Absence of a caring, stable father-figure appeared to predispose many of the boys to form associations on the street. Such findings and others emphasized the emotional vulnerability of the victims.

Coupled with these familial factors was an economic component. The majority of the Project "Guardian" youth were from financially deprived homes and were, thus, highly susceptible to the monetary and material perks that were being offered in exchange for sexual relations. The recruitment strategy in Project "Guardian" was very successful and involved peers recruiting other peers. This pattern is quite different from other types of child sexual exploitation, where adults either groom certain children or suddenly assault them. Although involvement in Project "Guardian" was hidden from the general public, the peers knew exactly what was going on with each other and often knew the amounts paid by different defendants for different sexual acts. Peer recruitment was powerful because it served to legitimize the activity for the youth. Over 70 percent of Project "Guardian" victims were introduced to a defendant through another peer.

Enticements used by the defendants were indicative of their creativity as well as the desperation of the youths involved. Enticements ranged from material items (eg. bikes, NIKE shoes, bomber jackets) to money (ranging from \$5.00 to \$100.00 per job), to the provision of contraband items (eg. tobacco, drugs, alcohol) and opportunities to view heterosexual pornographic movies in a permissive and highly-charged, sexualized atmosphere. Admonishments not to tell did not appear to be a factor in maintaining the code of silence of the youths involved in Project "Guardian." Shame and fear of stigmatization and ostracism were common concerns of these youths.

The criminal prosecution cases against the defendants involved in Project "Guardian" are almost complete. Many of the youths testified in court against multiple defendants. In other cases, the pornographic material obtained by police led to guilty pleas by defendants. For many of the youths, involvement in the criminal justice system was traumatic.

Overall, the community of London has learned a great deal about male sexual victimization in general, and the sexual exploitation of male youths in particular.

The Role of Criminal Intelligence

Sergeant Marc Proulx,
Criminal Intelligence Service of Canada

In 1976, the Automated Criminal Intelligence Information System (ACIIS) was adopted as the Canadian national data bank. Although CISC Central Bureau was and remains within the RCMP H.Q. complex and is administered by the RCMP, it serves the entire law enforcement criminal intelligence community in Canada.

Provincial bureaus were established in nine provinces, with Prince Edward Island being served by Nova Scotia. Provincial executive bodies are made up of representatives from major police departments and are chaired by an elected representative and a bureau manager appointed by and responsible to the executive body. These bureaus serve a variety of partners. Over 100 of these partners are members representing police forces with full-time intelligence units. Sixty-two members represent police forces with either part-time dedicated units or no unit at all. As well, there are 160 affiliate member agencies with a vested interest in Organized Crime.

The Central Bureau has a Director appointed by the Executive Committee chair, the Commissioner of the RCMP. Officers from other departments, specifically the Surete du Quebec and the OPP, are Assistant Directors. A mix of personnel seconded from other police departments perform other functions.

Chaired by the Commissioner of the RCMP, the Executive Committee is made up of the heads of 43 police departments across Canada. The Executive Committee reviews recommendations annually in August, and once recommendations are approved, they become national priorities for CISC.

The criminal intelligence process is often misunderstood by the public, the legislative bodies, and on occasion, the law enforcement community. A sampling of goals for the criminal intelligence function might be:

- reduction of Organized Crime in the community;
- reduction of the opportunities for Organized Crime to infiltrate the community, including businesses;
- establishment of a program to deter Organized Crime within the community.

Some suggested programs for the intelligence role might be:

- establish an early detection system to identify attempts by Organized Crime to infiltrate the community;
- initiate and develop innovative investigative techniques in criminal investigations;
- strengthen inter-agency co-ordination of investigations;
- provide public awareness of Organized Crime problems in the community;
- provide advanced training for criminal intelligence personnel.

These goals and programs apply to the issue of the sexual abuse of children.

Law enforcement must recognize that the criminal intelligence function begins with raw information, and that information ultimately becomes awareness. Awareness gives the community, through the law enforcement agencies, the ability to develop proactive rather than reactive measures. Preventive and deterrent actions have a far greater impact in the protection of the community than reactive measures, which deal with criminal acts after they have occurred.

It is acknowledged that paedophile organizations and their supporters have existed in a number of European countries and in Canada for some time. While all paedophiles are not members of such organizations, they often use them and their publications as a point of reference. Paedophiles come from all walks of life. Their occupations range from school teachers, the clergy, members of government, doctors, nurses, law enforcement, lawyers, and non-professionals. Their professions and outside interests will often centre around children. Paedophiles and child pornographers must network to share their interests with other collectors/offenders. The profile of these abusers is more often than not that of a charming and possibly well-respected person in society, rather than the image of a dirty old man in a raincoat. Money is no object to enlarge their collection, be it to purchase equipment or to travel to meet a fellow paedophile or child.

Investigations identify the use of computers to advance the cause of child pornography. Strokes on a keyboard can enable offenders to meet victims and fellow paedophiles and to transmit images. People on the Internet often remain undetected by using encryption.

Canadian law enforcement does not have a central intelligence bank where all agencies can deposit and retrieve information related to suspects or in the monitoring of convicted child sex offenders. It has been established through manual intelligence-gathering techniques that a suspect offender will keep on the move to evade detection. Often, the

offender will be a volunteer, a tutor, or an employee in a child-related environment long enough to victimize a child. Once the individual feels threatened, he moves to another city or province. The following illustrates this phenomenon.

A child pornographer was arrested in Vancouver, British Columbia, and was suspected of having molested young boys in Thunder Bay, Toronto, and Vancouver. He also was suspected in Ontario in the death of a teenager whose death was reported as a suicide. A reliable source indicated the individual killed the boy because he was going to expose him. The Thunder Bay Police established that the offender was a Big Brother, and he was suspected of molesting at least one boy under his care. There is no central data bank to collect this information.

No one country alone can deal with this critical problem. In 1992, Interpol established the Standing Working Committee on Offences Against Minors, which focused on the efforts of the United Nations and Interpol to protect children. Since 1992, the United States Justice Department has been investigating the misuse of the America On Line computer system for child pornography. In Canada, in 1996, CISC became a member of the Inter-departmental Committee Investigating the Sexual Abuse of Children, chaired by Senator Landon Pearson, Special Advisor on the Rights of the Child, reporting to the Minister of Foreign Affairs and International Trade. The Senator was tasked with preparing a Canadian study to address the sexual exploitation of children as a follow-up to the first World Congress in Stockholm, Sweden. In November 1996, CISC assisted Interpol in collecting information on individuals and organizations trafficking in child pornography by all means, including the Internet.

There is an increased need for awareness on the part of not only police officers, social workers, the courts, and victims, but also the general public. CISC can provide Canadian law enforcement with the vehicle to store information and intelligence on known and/or suspected paedophiles. The Automated Criminal Intelligence System can become an invaluable tool for this purpose. Of primary importance are the photo imaging capabilities of this system, which permit the retrieval of digital likenesses and text at the stroke of a computer key. The visual updating of this information can be made by scanning a new photograph or text relating to suspects or charged persons into the system. National strategies, education awareness, informations and search warrant samples, profiles of offenders, investigative strategies, and lists of experts in the field could be part of this system.

It is clear that there are significant amounts of data in relation to this issue; however, there are also serious gaps in combating it. The purpose of CISC is to provide the facilities to share intelligence between all Canadian law enforcement agencies and to promote inter-agency co-operation. CISC is the network by which Canadian law enforcement agencies come together to fight the spread of Organized Crime and other significant criminal activity throughout Canada.

High Risk Offenders and Community Notification

Superintendent Bruce Elwood,
Command Officer, Investigative Services,
Hamilton-Wentworth Regional Police

It was not too long ago in Canada that molesting a child was not considered a criminal offence. It was not even permissible for a child to testify. Our children were treated as adults and were expected to act as adults in a court room. It was only in January 1988 that child abuse offences were included in the Criminal Code, and it became specifically against the law to molest children. The amendments introduced at that time allowed children to testify in court. They also allowed the conviction of offenders on uncorroborated evidence of children.

We quickly realized that we had to train our police in joint efforts with social workers. Impressively, the level of expertise and dedication of all personnel in the field has increased exponentially in the past decade. The dedication of investigators against child abuse has existed at the lower levels for some time. There is now increasing commitment from senior levels in the bureaucracy. However, the area of domestic violence is still under-funded and under-acknowledged. It is the other component in the battle against child abuse.

Victims and Accountability

Putting specialized people together to investigate child abuse is critical, yet problematic. Each discipline feels it is under-funded, under-staffed, and under-equipped.

One out of every five offenders in federal institutions is in for sexual offences. Eighty to ninety percent are child molesters to some degree, yet they are receiving sentences which vary greatly. There is a problem emerging which professionals in the field did not want to have to deal with. They want to properly investigate child molesters; then they want to put them in jail and get them off the streets. This has been happening, but now, they are starting to come back out again. Not only that, they are coming back out the same way they started - *untreated*. No one is saying they are all coming back untreated. No one is saying they are all coming back uncured. But a large majority who are coming out are just as dangerous now as when they first went in.

High Risk Offender Case Management is an approach which I recommend for your consideration.

Theoretically, an offender receives a six-year sentence for sex crimes. The National Parole Board and Correctional Services Canada have said that this person is going to offend again and they are going to keep him until warrant expiry. That means that the day his sentence is up, the key is turned at Kingston Penitentiary, he is let out the front door, and he goes where he wants to go and lives where he wants to live. Basically, he is doing what he wants to do, and most likely committing another criminal offence. We all have heard of people returning to the community and then being sent back to prison. And why not? On expiration of time in prison, Correctional Services Canada says "We're finished. We've looked after that person. It's no longer our job." Mental Health staff will balk at that and say "We're a hospital; we're not an institution, so don't come to us." Police probably will say "Our job was to investigate and put him there in the first place, and it's not really our job to look after him now that he's out because he's not committing a criminal offence at this point. We'll wait until he does." If offenders are coming out the same way they entered prisons, we have to monitor them.

In 1994, the Hamilton-Wentworth Regional Police made an unprecedented move by notifying the public of the release of one of these individuals. Two members of the Police Services Board promised the community that the Hamilton-Wentworth Regional Police would monitor the individual's activities twenty-four hours a day for the next month. It meant staffing the residence, both front and back doors, and cost \$300,000 in overtime. But what happens once the month has passed? Does the offender suddenly become less dangerous? The street was called the Street of Fear. Parents kept children off the street, and the community was outraged. Finally, all stakeholders were called together to deal with the issue.

There has been much talk across Canada on the matter of community notification. At a June 1997 conference in Winnipeg, a majority of provinces determined that the matter of communication was a provincial matter. The Province of Ontario has left it up to individual police services. What happens when you give the community notification? Do you lock up your kids? Do we hide off the street? What do we end up doing? Community notification is not enough. Senior police management must take the same forward step that they took in child abuse to monitor high risk offenders coming back out.

The Police Parole Liaison program was started in Hamilton a few years ago, operating out of the police intelligence office. It includes a program for federal offenders and one for provincial offenders. The Federal Police Parole Liaison works with the Parole Office and is responsible for all offenders who were federal offenders at one time and who are coming to Hamilton. This usually involves approximately 200 federal parolees. The Provincial Officer, working with the Ministry of the Solicitor General and Correctional Services, has the same responsibility, but in the area of provincial offenders. There are fewer provincial parolees, but more and more of these individuals are child molesters.

The real area of concern is Warrant Expiry High Risk Offenders because they are not under federal controls; they are under controls of programs set up by the Hamilton Police and the local community. The community says "What are you going to do about it?"

After two years of work, we collectively developed a document called the Hamilton-Wentworth High Risk Protocol. The committee consists of representatives of Correctional Services, the Ministry of the Solicitor General, the Director of Probation/Parole, the police, Mental Health agencies, the John Howard Society, and the community (3 representatives who live in the area where the high risk offender wants to live). The committee meets at the call of the chair on being advised by Correctional Services that the community will receive a high risk offender on warrant expiry. The committee receives a package of information that includes psychological reports from Corrections Canada and reports from all police agencies which have had dealings with the offender. With respect to the issue of confidentiality of information from Corrections Canada, the police, and Mental Health agencies, the determination was made to err on the side of the community.

In effect, a threat assessment is conducted, with emphasis on four areas to ensure co-operation from the offender:

1. Willingness to participate in intervention programs and agency referrals. There are professionals on the committee with connections to help the offender readjust without criminal activity, i.e. sex therapists, and in the Mennonite community a circle of support.
2. Monitoring through intelligence and periodic surveillance.
3. Regular contact with the Police Parole Liaison Officer.
4. Community notification.

If the offender will not adhere to the first three areas, he will default to the fourth. Once a recommendation is put together on a case management plan, it goes to the Chief of Police, who ultimately determines the direction that will be taken, and the plan is put into place. Once the offender takes up residence in Hamilton, there is a periodic case review.

The following summarizes the process re a high risk offender release:

1. Initial information is received from Correctional Services sixty days prior to the person's release.
2. The Police Parole Liaison Officer begins the collection of pertinent information.

3. The Police Parole Liaison Officer travels to the institution and conducts a personal interview with the offender to determine the offender's plans on release. The Officer also meets with case management people and psychologists at the institution to gather data for a full threat assessment.
4. The Liaison Officer networks with other police agencies that have had dealings with the offender.
5. The case is reviewed before a decision is made to take it to the High Risk Offenders Committee.
6. If the matter warrants review by the Committee, a plan is developed and approved by the Chief of Police.
7. On the day that the person is released, he is "brought" to Hamilton, i.e. surveilled en route from the institution, and put to a location in town where we know he is staying.
8. A "welcome wagon" takes the offender around the city, shows him the highlights, and explains the rules for civil conduct.
9. If the offender bypasses Hamilton and goes elsewhere, he is followed to his destination. The police in that community are given the same package of information that was prepared for the arrival in Hamilton.

This form of case management says quite clearly "We're here to work with you to help you integrate back into the community." It must be done to integrate the person into the community because he is coming whether we like it or not. We must remember that a Warrant Expiry Parolee is someone who, because he has refused all psychological treatment, leaves the penal institution in the same manner in which he entered it. The protection of the public is paramount.

Initiating the Investigation

Special Agent John MacKinnon,
United States Customs Service,
Department of the Treasury.

THE INVESTIGATION

The following are the critical steps in any investigation involving child pornography on the Internet:

- Identifying the user
- Pretext calls
- Information confirmation
- Obtaining the search warrant
- Seizure of the computer
- Search of the computer
- Privacy Act considerations
- Conducting an interview of the subject
- Determination re criminal charges

The primary witnesses include:

1. The undercover agent who communicated with the defendant.
2. The witness from the service provider, who will talk about how records are maintained and their reliability. This witness also can explain how this service provider's system works, and how e-mail and messages are transferred. It is extremely important that the jurors have an understanding of this before they hear what the defendant did.
3. The computer expert who analyzed the computer.
4. The paediatrician who has looked at the photos and can state that the images are of children under the age of 18.

The United States' Criminal Code defines child pornography as:

Any visual depiction, including any photograph, film, video, picture, or computer-generated image or picture, whether made or produced by electronic, mechanical, or other means, of sexually explicit conduct, where

- (a) the production of such visual depiction involves the use of a minor engaging in sexually explicit conduct;
- (b) such visual depiction is, or appears to be, of a minor engaging in sexually explicit conduct;
- (c) such visual depiction has been created, adapted, or modified to look like an identifiable minor is engaging in sexually explicit conduct; or
- (d) such visual depiction is advertised, promoted, presented, described, or distributed in such a manner that conveys the impression that the material is or contains a visual depiction of a minor engaging in sexually explicit conduct.

Section 18 USC 2256 (8)(A-D) states:

The elimination of child pornography and the protection of children from sexual exploitation provide a compelling governmental interest for prohibiting the production, distribution, possession, sale, or viewing of visual depictions of children engaging in sexually explicit conduct, including both photographic images of actual children engaging in such conduct and depictions produced by computer or other means which are virtually indistinguishable to the unsuspecting viewer from photographic images of actual children engaging in such conduct...

Information that might assist law enforcement officials in locating a subject includes:

Personal Information:

Name
Address
Date of birth
Social insurance number
Driver's licence number
Telephone number (day/evening)
Place of employment
Position
Address

Account Information:

Date account opened
Credit card information
Referrals - other customers user brought to ISP
Account status - terminated/cancelled
Account history - any contacts with user; any violations
Change of address
Screen names used

Usage History:

All records of log-on and log-off times as far back as possible
Corresponding ID address

Contact with Suspect - Suggestion for a Pretext Telephone Call:

Introduction: My name is I'm a marketing representative with CompuServe (or other AOL competitor). I'd like to send you 20 free hours of on-line time if you would take just a few moments to answer a few survey questions about your computer use.

1. Is there a computer in the residence?
2. What type of computer do you have?
3. Do you use the computer?
4. How often do you use the computer?
During what time of day are you typically on-line?
Is it recreational use? business use? educational use?
5. Are you or any member of the household a subscriber to an on-line service provider? Which one? How long have you been a subscriber?
6. Do any other members of the household use the computer? Ages?
Is that recreational use? business use? educational use?

I need some information from you to send the free disk to you:

1. What is your name?
2. What is your age?
3. What is your address?

Thanks very much for your assistance with this. Have a great day!

List of Computer Items to be Seized:

Any and all: tapes
cassettes
cartridges
streaming tape
commercial software and hardware
computer disks
disk drives
monitors
printers
modems
tape drives
disk application programs
data disks
system disk operating systems
magnetic media
floppy disks
tape systems and hard drive
other computer-related operations equipment

in addition to:

computer photographs, Graphic Interchange and/or photographs, codes, or other visual depictions of such Graphic Interchange format equipment which may be or are used to visually depict child pornography, child erotica, information pertaining to the sexual interest in child pornography, sexual activity with children; or the distribution, possession, or receipt of child pornography, child erotica, or information pertaining to the sexual interest in child pornography, sexual activity with children; or the distribution, possession, or receipt of child pornography, child erotica, or information pertaining to an interest in child pornography or child erotica.

Suggested Interview Questions:

1. Who owns the computer (all names)?
2. Who uses/has access to the computer? Who resides/stays in the household?
3. For what purpose is the computer used?
4. Do you have a portable computer? Any particular uses of that portable computer?
5. What software is being used and for what purpose?
6. Find out if there are any publications produced on the computer. Use your judgment as to how to approach this and when to approach it.
7. Is the computer password protected? If so, what is the password?
8. Does the computer have a key? If so, seize it. (Seek consent.)
9. Is there any use of encryption?
10. Is he/she a current user of any computer bulletin board services (BBS)? If so, which ones? What name and password are used for each of them? Include private BBS as well as providers such as America On Line (AOL), Prodigy, CompuServe, Delphi, etc.
11. ID other screen names used and for what purpose.
12. Has anyone else used that screen name and password? If so, you should interview to confirm or refute.
13. Has the interviewee downloaded from AOL? If so, where is the information downloaded to (hard drive or floppy diskette)? Did the interviewee download images and/or text? (The text is the actual electronic mail message containing the subject, date, from, to, and c.c. It would be nice if the text part of the electronic mail had been kept. This would document the transfer of the images. Have the interviewee describe the steps he had to take in order to download and to save graphic files.)
14. Ask the interviewee if you can view the image while it is being downloaded. If ZIP files were downloaded, did the interviewee unZIP them? Did the interviewee rename files or maintain the file names as received?

15. Where is the child pornography? If it is on the hard drive of the computer, what directory is it in? (You want to know so that you can tell the forensic examiner where to look for evidence in order to expedite that examination.) If it is on floppy diskettes, where are they located? (Seize them.)

(The following questions can be used for all BBSs, not just AOL:)

16. Does the interviewee use any address books on AOL? Whose screen names are in them?
17. Who sent the interviewee the child pornography? What is the true name of that person? Did they talk over the telephone? If so, what is the number?
18. Was the interviewee on any address book list? If so, whose? What did they send and how frequently?
19. Was the interviewee in any chat rooms to discuss child pornography trading? If so, which ones? If not, how did the interviewee find someone to send him/her the contraband?
20. Does the interviewee know of anyone producing the child pornography? If so, who?
21. Did anyone discuss sending child pornography videotapes? If so, who? Did the interviewee send or receive any videos?
22. Does the interviewee know any of the children in the images? If so, who? How does he know them?
23. Does the interviewee have a scanner? If so, for what was it used? Has he/she ever scanned photographs for anyone else?
24. Did the interviewee ever meet children through a BBS? If so, who and why? Does he/she know of anyone else meeting children for sexual reasons?
25. Did anyone ever use the mail to send/receive floppy diskettes, videos, magazines, etc.? If so, to/from whom?

Important Points to Remember:

1. Review the evidence before you draft the criminal charges. Prosecutors should have at least a cursory review of what is contained on the defendant's hard drive and disks in order to prepare the charges.
2. Review all documentation so that you know what there is and you understand it.
3. Ensure that the prosecutor goes through all documents, knows what there is, and understands it. This includes chat logs, e-mails, hidden information, directories, etc. Prosecutors should talk to people who have technological expertise, refer to books, and work on the computer to ensure that they understand what evidence there is.
4. Organize all documentation in a way that makes sense. *Remember: There is nothing worse than being on a trial and having to search for something that you know you have but cannot locate.*

The Prevention Recipe

Legislation Social Policy Resources

Linda L. Baker, Ph.D., C.Psych,
Director of Young Offender Services
and Acting Assistant Director,
London Family Court Clinic.

I would like to start by sharing a well-known analogy:

Picture a river with settlements along it. The people who play in, wash in, and drink from the river are becoming very ill. Each day more and more people need treatment and care because they are being poisoned. Now, you can respond by just intervening after people have become ill due to poisoning or you can also send someone to a point further up the river to try to identify what or who is poisoning the river and how to prevent continued poisoning.

Sitting in this auditorium, it seems obvious that we would need to do both; however, when you are involved in the aftermath — that is, when you are faced with people's pain and suffering, it can be very difficult to have the time and the resources to think about focusing energy further up the river. Effective, immediate responses are essential and can be preventive in and of themselves, but we also need to focus on preventing victimization from occurring in the first place. It is not an "either-or" proposition — we need to do both!

I have chosen to frame this presentation in terms of crime prevention and to focus on prevention through social development — that is, by early and continued investment in children. This translates into reducing risk factors for children and their families, as well as decreasing environmental risk (e.g. poverty, violent communities, systemic discrimination).

We know that the major risk factors for children are the same whether your perspective is health and well-being, education, or crime prevention. In the past, health has lead the way. Showing and highlighting the link between investing in children and reducing victimization and crime helps to establish the need for, and the importance of, having our justice partners (government departments, courts, corrections, and especially police) at prevention tables where safety and positive outcomes for children are the focus.

WHY PREVENTION?

Let's turn our attention to "Why?" There is a very compelling reason for prevention. We cannot afford the costs of not focusing on prevention. First, failure to invest in prevention means high costs in terms of human suffering and misery. This area has been addressed in a number of presentations that have already been made at this conference. Second are the high and very real financial costs of crime.

A conservative estimate puts the costs and expenditures associated with crime in Canada in the range of \$46 billion annually. Even this estimate does not include the cost of white-collar crime, such as income tax evasion or stock market manipulation (National Crime Prevention Council, March 1996). "On average, crime costs amount to between \$560 and \$1240 per year for every man, woman, and child in Canada. For a family of four we pay between \$2,240 and \$5,000 every year" (Brantingham & Easton, 1996). These estimates place the cost of crime between two and six percent of Canada's gross domestic product. To put this in some kind of meaningful context, we spend about the same on our public schools, which serve about five million children.

The Canadian Public Health Association (1994) has estimated the cost of violence-related hospitalization at between \$38 million and \$71 million annually. Health-related costs of violence against women are estimated to be more than \$1.5 billion: \$255 million in medical consultations through the long term; \$506 million in short- and long-term psychiatric care (Day, 1995).

Canada spends 9.7 billion directly on the criminal justice system (National Crime Prevention Council, 1996). It costs about \$100,000 per year to detain a young offender in custody, and \$40,000 to \$80,000 per year to incarcerate an adult offender. Keeping these costs in mind, consider the incarceration trends in our country from 1989 to 1995:

- the federal prison population grew by 22 percent;
- the provincial population grew by 12 percent.

During the same period the crime rate remained relatively constant. There are 4,900 young people in jail in Canada on any given day — an increase of 26 percent since 1986.

Although the incarceration rate has remained fairly constant since 1995, it is fair to say that Canada relies heavily on prisons relative to other western, industrialized nations. We incarcerate at a rate of 130 per every 100,000 adult and juvenile Canadians. Prisons are very necessary for violent and dangerous offenders who pose risks to public safety. However, non-violent offenders make up a significant proportion of the Canadian inmate populations. For example, in 1994/95 approximately 25 percent of provincial prison admissions were to serve a sentence for non-payment of fines. Young offenders are too often in custody for breaching court orders, such as not residing where stipulated or

missing curfews. The point is not that we do not need custody facilities and jails, but that we cannot afford to over-rely on them for non-dangerous and non-violent offenders. Rather, we need community-based programs that are effective but less costly, and most importantly, we need to redirect savings into prevention efforts.

If we doubt this premise, lessons can be learned from our neighbours to the south. During the 1980's, there was an intensification in the public's punitive attitude towards crime and a marked increase in the "get tough" rhetoric of the politicians. During this period, incarceration rates increased over 300 percent in most states even though the national crime rate did not increase significantly during this period. Currently, the U.S.A. incarcerates at a rate of 529 individuals per 100,000 citizens.

The Three Strikes Law in California (since 1994) is an example of the challenges and barriers that result from intensifying "deep end" solutions — in this case incarceration. This law mandates that persons found guilty of a third felony be imprisoned for 25 years to life following two previous and serious felonies. (Note: the third felony (strike) need not be serious or violent for imposition of the mandated sentence. At the time this law was enacted, the Department of Corrections budget was seven percent of total state spending. By the year 2000 when this new law is fully enforced, the Department of Corrections' projected budget will be 20 percent of the total state spending. The question that relates strongly to investing in children is "Where will money come from for this mandated program?" Presumably, it cannot come from other mandated programs (e.g., education, health, child protection). The concern being expressed by our American colleagues is that this program will be funded by redirecting monies from non-mandated programs, such as early child and family intervention and assistance programs. Yet, it is these programs that serve to help prevent the development of violent and antisocial behaviour in the first place.

WHAT WORKS?

Universal and focused interventions at critical junctures in a child's life have been shown to promote positive outcomes in children. The goal of these initiatives is to reduce risk factors linked to poor outcomes — including criminal activity, and to increase protective factors in children and their families. Interventions are most effective when they are focused in the primary social settings within which children learn and play — family, school and peers. The earlier in a child's life that intervention to foster healthy development occurs, the better!

Research has enabled us to identify risk factors. Poverty brings with it a host of health and psycho-social risk factors. Stressors associated with extreme economic hardship, particularly if they are chronic and long-standing, tax the emotional and psychological resources of families and can have a debilitating effect on children. Substance abuse by expectant mothers is an example of a prenatal risk that has been associated with low birth

weight and later learning and behavioural challenges in children (McIntyre, 1996). Child abuse and family violence are viewed to be risk factors at all ages. Abuse and witnessing violence negatively affect children's psychological, and in some cases, physical development. A strong link was demonstrated in a prospective cohort study in the U.S.A. between child abuse and arrests in adolescence and early adulthood (Maxfield & Widom, 1996). Moreover, child abuse and family violence can result in serious injury or death. The preschool years have been termed the invisible years because children are not in touch with systems/individuals outside the family, and accordingly, are at extreme risk when the home is not safe. In 1994, more murder victims were under one year of age than any other single year of life. Failure in school is another correlate of later criminal behaviour.

It is important to note that there is not a direct correspondence between a risk factor and a negative outcome in later life. However, multiple and persistent risk that is not attenuated by protective factors (e.g. positive relationship with an adult, involvement in recreational programs, safe communities) provide the most severe threat to the emotional well-being and health of children.

There is compelling evidence that "home visiting" programs reduce risk for children. Home visits consist of a visitor who cares about child-raising going to the child's home. The visitor is a professional or para-professional who provides information or emotional support, or both. The visitor can actively teach parents and be hands on with children or just listen. A key element of home visiting is the bridge that the visitor provides between the parent(s) — usually a mother — and the outside world.

The Hawaii Healthy Start Program provided home visits to high risk mothers. The goals were to decrease isolation, detect problems early, provide practical supports, educate, and facilitate an understanding of the baby's needs. The results indicate that child abuse was decreased by fifty percent and that there was a significant decrease in school failure and the number of children who were brought into care.

Olds and his colleagues (1988) conducted one of the most rigorous of the early intervention prevention studies. Before birth, high risk mothers were visited two times per week. The focus was on improving maternal health and stopping drugs (particularly cigarettes). After birth, the mothers were visited weekly for six weeks and then on a progressively leaner schedule until the baby was two years of age. The focus was on the child's health, the parents' care of the infant, the use of services, the development of support systems, family planning, and education and occupational planning. Relative to the comparison group, the mothers who received home visits showed significant reduction of smoking during pregnancy, seventy-nine percent relative reduction in child abuse during the first two years of the children's lives, significantly less emergency room care, and an increase in paid employment of more than eighty percent. Government expenditures for the comparison group (e.g. costs of investigations and other needed child protection services and medical costs) indicate that the costs of the early intervention initiative were

recovered within four years. Indicators suggest that continued follow-up will reveal significant savings in terms of reduced victimization, reduced crime, and reduced incarceration costs.

Cognitively oriented preschool has also been shown to produce positive outcomes in children. An exemplary example of the long-term effects of preschool is the High/Scope Perry Preschool Program (Weikart et al., 1984). At ages three and four, 123 African-American children were randomly assigned to either a quality, active-learning preschool program or a no-program group. At age 27, 95 percent of the original participants were interviewed. The findings showed that children had benefitted significantly from the educational preschool program. Compared to the no-preschool group, the preschool group was found to have fifty percent fewer arrests; thirty-three percent more high school completions; and higher earnings and property wealth. This study showed that investing in children results in substantial savings to communities and better quality of life for individuals.

Reviews indicate that home visits combined with cognitively oriented preschool appear to have the strongest impact (Yoskikawa, 1994; Tremblay & Craig, 1995). School-based prevention has also been shown to be effective. These programs reduce risk when they:

- increase student commitment to school and academic achievement;
- clarify norms about behaviour (e.g. violence prevention campaigns, anti-substance abuse programs, media awareness and literacy, sexual abuse prevention, emphasis and reinforcement of appropriate behaviour);
- foster a range of social competency skills in children (e.g. self-control, social problem-solving, critical thinking skills) through comprehensive (cognitive-behavioural) instructional programs.

A program in Montreal to prevent antisocial behaviour in boys who were disruptive in Kindergarten provided school-based, social skills training (age 7 to 9) and home-based parent training over a two-year period. The treated boys showed significantly improved academic adjustment throughout elementary school and significantly fewer self-reported delinquencies from age 10 to 15 years, compared to untreated, disruptive boys. This preventive intervention appeared to have a significant, positive impact on the social development of the disruptive Kindergarten boys (Trembaly et al., 1995).

PREVENTION RECIPE

A March 1997 Environics Poll indicated that seventy-three percent of Canadians favour more emphasis on prevention, and eighty percent of Canadians favour a significant emphasis on giving children a better start. I would like to propose that we will need the following ingredients in a Canadian recipe for prevention:

- NATIONAL STRATEGY
 - comprehensive with clearly-defined objectives
- COORDINATING BODIES
 - national, provincial, and territorial levels
 - arm's length from government
 - representation: multi-discipline, cross sector (health, education, justice, etc.), private sector and citizen
 - ensure direction consistent with national strategy
 - flow funds for initiatives and evaluations
 - strategy for community mobilization (tools, resources and knowledge)
 - establish data bases
- PREVENTION INITIATIVES
 - carefully shaped by "data-driven, life-course models"
 - identify and specifically target developmental and contextual risk factors associated with poor outcomes in children
 - assess prevention initiatives: are the programs scientifically and economically viable and effective?
- ADDRESS POVERTY AND DISCRIMINATION
- FUNDING
 - tripartite funding commitments
 - funding formulas for agencies
 - private sector incentives
 - reduced reliance on incarceration for non-violent offences
- REVISIT EXISTING LEGISLATION WITH A VIEW TO PREVENTION THROUGH INVESTING IN CHILDREN
 - individual freedoms (e.g. privacy) vs. protection of vulnerable
 - family/parental rights vs. rights of the child
 - right to consent to treatment
- TRAINING, PUBLIC EDUCATION, AND AWARENESS
- AFFORDABLE, ACCESSIBLE, QUALITY CHILDCARE (INCLUDES OUT-OF-SCHOOL CARE)

- EDUCATIONAL CURRICULUM THAT INCLUDES THE FOURTH "R" —
RELATIONSHIP SKILLS
 - school as community hub, community schools
- COMMUNITY MOBILIZATION
 - identifying and bringing together key partners
 - problem identification and needs assessment
 - setting the objectives, goals, and plans
 - design and delivery of programs
 - evaluation of impact (outcome)

REFERENCES

- Brantingham, P. & Easton, S. (1996). *The Crime Bill: Who Pays and How Much?* Vancouver, BC: The Fraser Institute.
- Canadian Public Health Association, *Violence in Society: A public Health Perspective*. 1994:8.
- Day, T. (1995). *The Health Related Costs of Violence Against Women in Canada: The Tip of the Iceberg*. London, Ontario: Centre for Research on Violence Against Women and Children, 1995.
- Maxfield, M.C., & Spatz Widom, C. (1996). The cycle of violence: Revisited six years later. *Archives of Pediatric and Adolescent Medicine*, 150, 390-395.
- McIntyre, L. (1996). Starting Out. *Growing Up In Canada: National Longitudinal Survey of Children and Youth*. Ottawa, ON: Human Resources Development Canada and Statistics Canada.
- National Crime Prevention Council, *Safety and Savings: Crime Prevention Through Social Development*, March 1996.
- Olds, D. L., Henderson, C.R., Chamberlin, R. & Tatelbaum, R. (1988). Improving the Life-Course Development of Socially Disadvantaged Mothers: A randomized Trial of Nurse Home Visitation. *American Journal of Public Health*, 78, 1436-1445.

- Tremblay, R. & Craig, W.(1995). Developmental Crime Prevention. In M. Tonry and D. P. Farrington, Eds., *Building A Safer Society. Crime and Justice*, Vol. 19. Chicago: University of Chicago Press.
- Tremblay, R.E., Pagani-Kurtz, L., Masse, L.C., Vitaro, F., & Pihl, R.O. (1995). A bimodel preventive intervention for disruptive kindergarten boys: Its impact through mid-adolescence. *Journal of Consulting and Clinical Psychology*, 63 (4), 560-568.
- Weikart, D.P., Berrueta-Clement, J.R., Schweinhart, L.J., Barnett, W.S. and Epstein, A.E. (1984). *Changed Lives: The Effects of the Perry Preschool Program on Youths Through Age 19*. Ypsilanti, MI: High/Scope Press.
- Yoshikawa, H. (1994). Prevention as Cumulative Protection: Effects of Early Family Support and Education on Chronic Delinquency and Its Risks. *Psychological Bulletin*, 115, 28-54.

Criminal Justice

Implications and Challenges

David Arntfield, LLB,
Crown Attorney,
County of Middlesex.

The greatest challenge the prosecutor has in child sexual exploitation cases when they get to the prosecutorial stage is not to be victimized by the tragedy of the cases. It is hard to stay objective.

We must put some brakes on cross-examination techniques; we must change the prosecutorial method. However, the very essence of the criminal justice system deals with cross-examination. We must move somewhat from the law and now deal with the philosophy behind it.

As a general philosophy, the Crown does not concern itself with sexual activity involving consenting parties. But it does consistently concern itself when those acts involve either children or adolescents whose quality of consent may be challenged in the circumstances in which that consent is given.

A core concern is that in cases involving young people, because of their state of dependency and their level of maturity, they require protection. The focus cannot be on the so-called "consent" of the child; the focus has to be on the defendant who has the unqualified responsibility to avoid such situations and not get into situations of consent.

Child sexual abuse is any sexual act or sexual plight imposed on the child. Adults or adolescents who perpetrate such abuse exploit the dependency and immaturity of children. Coercion is physical or psychological and intrinsic to child sexual abuse.

A Futuristic Focus

Where Do We Go From Here?

Joseph Hornick, PhD.,
Executive Director,
Canadian Research Institute for Law
and the Family,
University of Calgary.

There are three categories of paedophiles:

- | | | |
|---|---------------------|--------|
| - | boy object focused | 15-20% |
| - | both sexes | 10-15% |
| - | girl object focused | 70% |

Studies conducted on prison groups and offenders on probation reflect consistency with studies of victims. However, that conclusion does not fit with reality because boy-focused paedophiles have a higher number of individual victims, whereas girl-focused paedophiles focus on a single victim.

There is a conceptual disparity or disadvantage working in this area in terms of data on paedophiles. The above-noted data is purely clinical, and there is some danger in quantifying it. There must be some hesitation in using terminology in pre-court and pre-assessment scenarios. This is not a criticism of anyone using the term paedophile; rather, it is an indication of the conceptual framework that exists for doing research and clinical work in this area.

What, then, might be expected in future terms in the sexual exploitation of children in terms of law enforcement and other societal response? There are many forms of sexual exploitation of children which take place through direct, physical, sexual assaults. In recent years, new forms of exploitation have evolved: from the Internet to the international slave trade in children. Child abuse can be distinguished from the exploitation of children: child abuse is a physical assault whereas exploitation is sexual in nature.

Most victims of child sexual assault are female. It is suggested that male cases are under-reported. Children are most vulnerable to sexual abuse between the ages of 8 and 13. A significant number of victims are under the age of 5. Pre-adolescents (8 through 12) are more at risk than younger children. Females with fewer friends report more abuse. Females who live with step-fathers have a greater degree of risk. Females who are

abused are more likely to have lived without their biological fathers, to have lived with conflict between parents, and to report poor relationships with one of their parents.

Victimization Rates of Sexual Abuse (Agencies in the United States):

| | | |
|------|------------|--------------|
| 1986 | 0-17 years | 2.1 per 1000 |
| 1991 | 0-17 years | 6.3 per 1000 |

Actual rates of sexual abuse are probably much higher than those reported.

Over 90 percent of offenders are male. In the past few years, there has been an increase in female offenders. Research indicates that the numbers are currently at 3 to 8 percent, with a top end of this spectrum at between 8 to 10 percent. It also indicates that half of the female offenders co-offend with another adult, who is usually male. While arrested offenders usually are adults, as many as one-third of offenders are under 18 years of age.

Where do child molesters start? They do not start when they are 20; they start when they are 10, 11, 12 – somewhere in that range. In some of the studies, they are as young as 6 years old.

Most children who are sexually molested are assaulted by someone they know. Offenders may be in positions of trust or authority over the child. Sexual abuse by strangers is relatively rare.

Characteristics of Sexual Abuse

Most incidents involve one victim and one offender. However, a significant number do involve multiple victims.

The most common types of behaviour exhibited in child sexual assault involve fondling or oral sex. Intercourse occurs in approximately one quarter of all cases. When boys are abused, such images clash with their self-image of masculinity and they are discouraged from reporting sexual abuse.

Alcohol is used in approximately 32 percent of cases. The viewing of pornography is being used increasingly as an enticement. Exposing children to pornographic materials desensitizes them to their sexuality. Increased viewing of pornography on the Internet creates an environment which dehumanizes each individual. Children are particularly vulnerable to such abuse of psyche.

The media are conditioned to reporting the sexual abuse of young girls. There is growing awareness in the public mind that child abuse occurs more frequently than we would like to believe.

Summary

Following the "Agenda for Action" Conference, the President of the Canadian Association of Chiefs of Police, Assistant Commissioner John Moodie (RCMP) told an Aylmer news conference that all levels of government should make sexual exploitation of children a national priority. He noted that this gathering was a true rallying cry for educators, crown attorneys, social service providers, and every facet of society that deals with children at risk. The message that was heard again and again was that this is a national problem that has both immediate and long-term, devastating effects to its victims and their communities. Assistant Commissioner Moodie stated, "As a society we must move today not only to bring about new legislation, but also to enhance community awareness." The Conference was the catalyst for the five-point **Aylmer Declaration**, which makes recommendations that will see the CACP work with conference participants and all other interested parties in an effort to:

Increase public awareness

Improve training for professionals

Initiate changes to the Criminal Code

Seek appropriate funding from public and private partnerships

Work with victims' groups to better serve their needs

As noted by Julian Fantino, Chief of Police for the City of London and co-ordinator of the Conference, "The Aylmer Conference should be the starting point to move the agenda forward. Experts have clearly told the professionals at this conference that 'Children in Canada are not safe.'"

The Convention on the Rights of the Child, an international legal instrument of universal significance signed by 187 nations, including Canada, requires member countries to protect children from exploitation and abuse, to promote physical and psychological recovery and social reintegration of the victim.

One of the pivotal speakers at the Conference was Joseph Hornick, PhD., representing the Canadian Research Institute for Law and the Family. In a keynote address to the Conference, Mr. Hornick stated:

There is no question child sexual exploitation will continue to be a serious societal problem in the 21st century. In addition, with further development of the global village, new forms of child exploitation are emerging and will pose new challenges for professionals working in this area. With increased awareness, education, inter-agency co-operation, and novel investigative and problem-solving approaches, we will be able, hopefully, to deal with these problems in an efficient and effective manner.

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Agenda for action, a conference on the sexual exploitation of children : conference

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