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**MANDATORY REPORTING  
OF CHILD PORNOGRAPHY  
IN MANITOBA**

**2009-2010 ANNUAL REVIEW**



**CANADIAN CENTRE *for* CHILD PROTECTION™**

*Helping families. Protecting children.*



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*Helping families. Protecting children.*

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**Purpose:** This report has been prepared for the purpose of providing an overview of the information received through reports submitted by individuals within Manitoba under the category of child pornography between April 1, 2009 and March 31, 2010. The report illustrates the impact that mandatory reporting legislation has had in Manitoba.

## I. SUMMARY

On April 15, 2009, mandatory reporting of child pornography was proclaimed in Manitoba. The Child and Family Services Act was amended to include child pornography in the definition of child abuse and the legislation obligates all people in Manitoba to report suspected child pornography to Cybertip.ca for assessment. All reports relating to a child victim and/or suspect in Manitoba are forwarded to child welfare. The goal of mandatory reporting is to facilitate the reporting of children potentially in need of protection.

The results from the first year suggest that mandatory reporting of child pornography in Manitoba has been impactful. In 2009/10, there was a 126% increase in the number of reports submitted by individuals within Manitoba in comparison with the year prior. While the majority of these reports (75%) were submitted anonymously, 87% of the reporting persons provided identifying information when child victim and/or suspect information was reported. The majority of reports (88%) pertained to websites and 44% of the submitted reports were forwarded to law enforcement. Of the reports forwarded to law enforcement, the majority (90%) were forwarded to law enforcement outside of Manitoba.

### **ON APRIL 15, 2009, MANDATORY REPORTING OF CHILD PORNOGRAPHY WAS PROCLAIMED IN MANITOBA.**



The new legislation resulted in 17 reports containing information on an identified child victim and/or suspect in Manitoba being forwarded to child welfare. In the year preceding proclamation, there were no child pornography reports forwarded to child welfare from Cybertip.ca. Child welfare determined that several children had been sexually abused by a suspect identified in one report and criminal charges against the suspect are pending. Eight of the reports remain active investigations with child welfare.

During the 2009/10 year, two public awareness campaigns were carried out in the Province of Manitoba with the goal of increasing the public's awareness of the new legislation. In addition to the 126% increase in reporting, the campaigns also resulted in an increase in the number of page views to the Cybertip.ca website. This suggests that those within Manitoba have an increased awareness and understanding of their duty to report suspected child pornography.

## **THE GOAL OF MANDATORY REPORTING IS TO FACILITATE THE REPORTING OF CHILDREN POTENTIALLY IN NEED OF PROTECTION.**



## II. OVERVIEW

The CANADIAN CENTRE FOR CHILD PROTECTION is a national charitable organization dedicated to the personal safety of all children. Our goal is to reduce child victimization by providing national programs and services to the Canadian public. The Canadian Centre for Child Protection owns and operates Cybertip.ca, Canada’s tipline for reporting the online sexual exploitation of children. The tipline has been operating since September 26, 2002.

Reports to Cybertip.ca are submitted by the public under one of five categories: Child Pornography, Luring, Children Exploited through Prostitution, Child Trafficking and Traveling Sex Offenders. Since 2002, **Cybertip.ca has received over 40,000 reports from Canadians across the country.** Of these reports, 45.6% were forwarded to Law Enforcement Agencies (LEAs) and/or INHOPE member hotlines. Cybertip.ca is aware of at least **58 arrests executed by LEAs and numerous children removed from abusive environments** in connection with these reports.

On April 15, 2009, Manitoba became the first province to enact legislation that requires the mandatory reporting of child pornography. Under this new legislation, Cybertip.ca was designated as one of the reporting entities. Cybertip.ca analysts are special constables and they review, research and then triage reports to the appropriate agencies. This may include law enforcement agencies, child protection services, and international hotline partners. Under the new law, if any reports involve possible child victims or suspects from Manitoba, Cybertip.ca forwards the information to child and family services and Manitoba law enforcement, which if necessary, coordinates investigations and ensures children are protected from abuse.

www.cybertip.ca



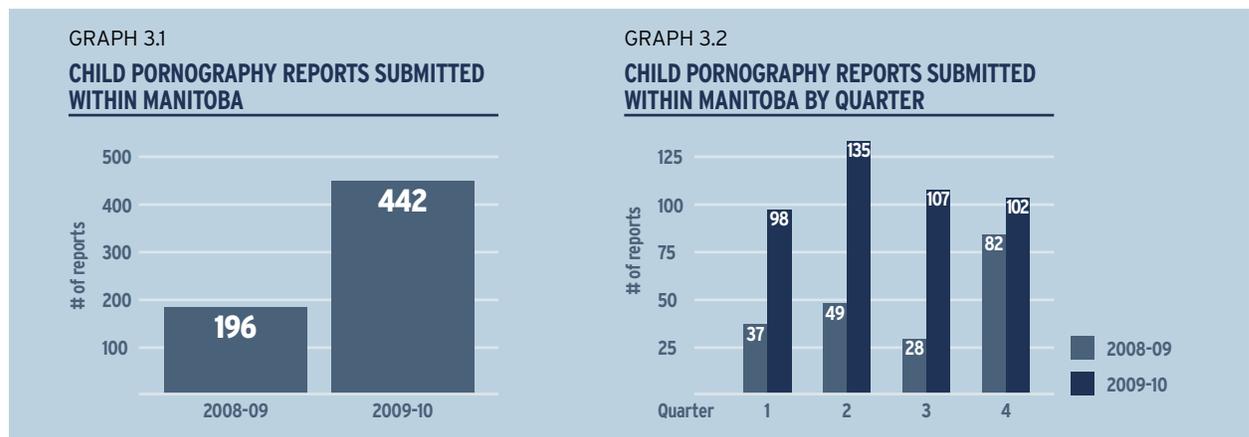
A note about language: We recognize that the term “child pornography” may minimize the crime or give the impression that the children being abused are complicit in the abuse. As it is the term used in the Criminal Code (Canada), we will continue to use “child pornography” when it refers to Criminal Code (Canada) offences and analyst classifications based on the Criminal Code (Canada). The term “child sexual abuse images” more clearly describes the assaults taking place against children.

### III. MANDATORY REPORTING STATISTICS FOR 2009/10

The following information pertains to reports submitted by individuals within Manitoba under the category of child pornography between April 1, 2009 and March 31, 2010 (see Annex A for a flow chart of the Mandatory Reporting Child Pornography Numbers in Manitoba 2009/10).

#### A. REPORTS SUBMITTED BY AN INDIVIDUAL WITHIN MANITOBA:

In 2009/10, there was a **126% increase in the number of reports submitted by individuals in Manitoba**. This increase can likely be attributed to the new mandatory reporting legislation and associated public awareness campaigns.

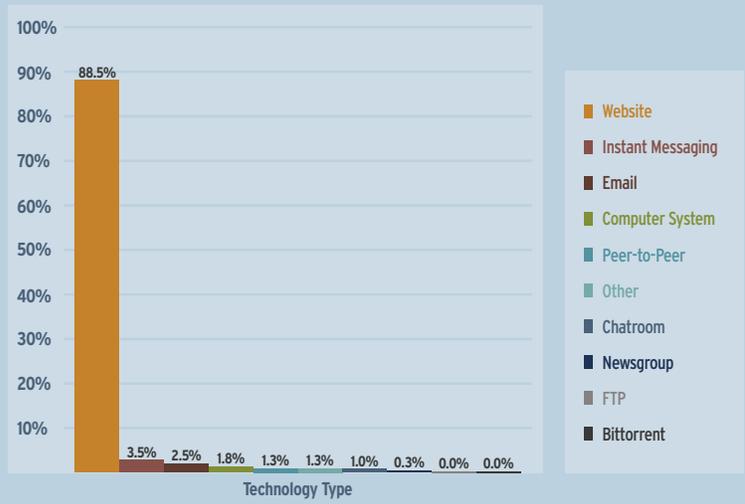


**B. TYPES OF REPORTS SUBMITTED:**

When Cybertip.ca receives a report into its secure system, an analyst first assesses whether there may be a child in imminent danger. Those reports with child victim or suspect information are considered a higher priority and processed first. Cybertip.ca is mandated to analyze and forward potentially illegal reports to law enforcement within a 48 hour timeframe. Reports that identify a child potentially in need of protection are forwarded immediately (less than 24 hours).

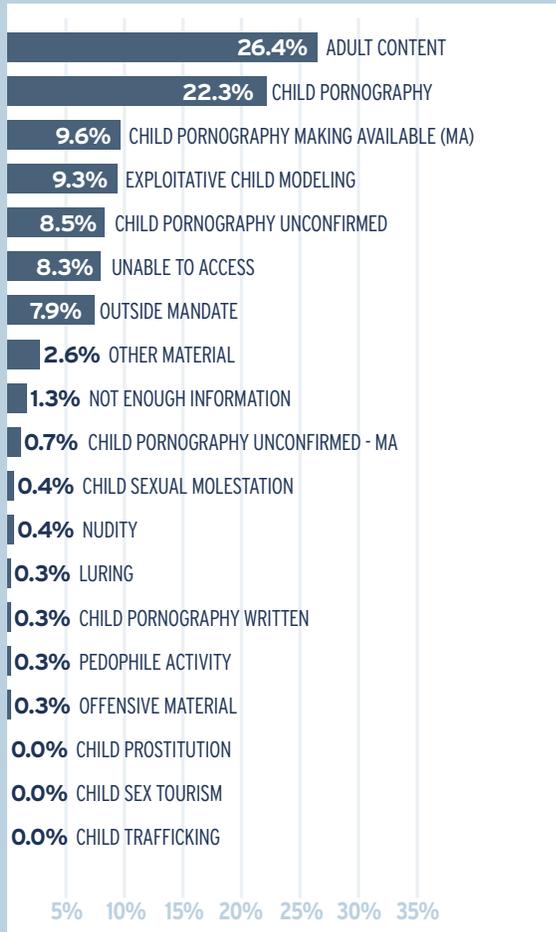
Once a priority has been assigned, the Cybertip.ca analyst breaks the report into its component parts based on the number of incidents in a report. For example, one public report may contain information about an email and a website. This would be considered two separate incidents, as they have to be analyzed independently. The 442 reports submitted within Manitoba equated to 719 incidents (average of 1.63 incidents per report). Graph 3.3 provides a breakdown of the incidents within reports submitted by individuals in Manitoba.

GRAPH 3.3  
INCIDENT TYPES CLASSIFIED BY CYBERTIP.CA



GRAPH 3.4

**CYBERTIP.CA SECONDARY CLASSIFICATION**



The majority of incidents (88%) reported to Cybertip.ca pertained to websites. This number is relatively consistent with Cybertip.ca's overall statistical numbers whereby 80% of what Cybertip.ca receives from the public pertains to website incidents.

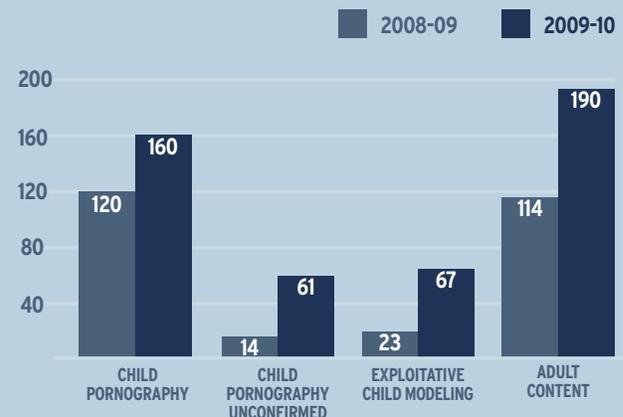
Each incident is assigned a secondary (Cybertip.ca) classification based on the Criminal Code (Canada). This is either a confirmation or a correction of the public classification. In 2009/10, of the reports submitted by a person residing in Manitoba, 22% (160) of the incidents were confirmed as child pornography and a further 20% (140) of incidents were classified as child pornography unconfirmed, child pornography making available (confirmed or unconfirmed), and child pornography written upon analysis. Graph 3.4 provides a breakdown of the secondary classifications assigned by Cybertip.ca as they pertain to the incidents within reports submitted by individuals residing in Manitoba.

Since mandatory reporting was proclaimed in Manitoba, there has been a 33% increase in the number of incidents classified by analysts as child pornography when comparing 2008/09 to 2009/10. There has been a substantial increase in the number of reports pertaining to questionable content as seen in the increase in incidents classified as unconfirmed child pornography and exploitative child modeling.



GRAPH 3.5

**YEARLY COMPARISON: SECONDARY CLASSIFICATION OF REPORTS SUBMITTED WITHIN MANITOBA**



**C. SOURCE OF REPORTS:**

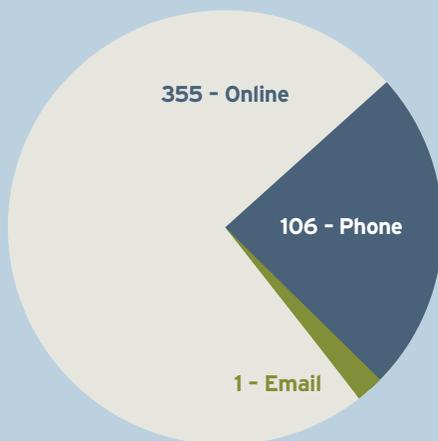
Reports can be submitted to Cybertip.ca through the online report form or by calling a toll-free phone line. Figure 3.1 represents how reports classified as child pornography were submitted to Cybertip.ca during 2009-2010 by those in Manitoba.

When submitting a report to Cybertip.ca, the reporting person may provide identifying information or choose to remain anonymous. The only required information is the reporting person's age. When the report is submitted (by phone or online), the reporting person is provided with a confirmation number. In the event that a person chooses to remain anonymous, this number could be used to prove s/he reported her/his concerns.

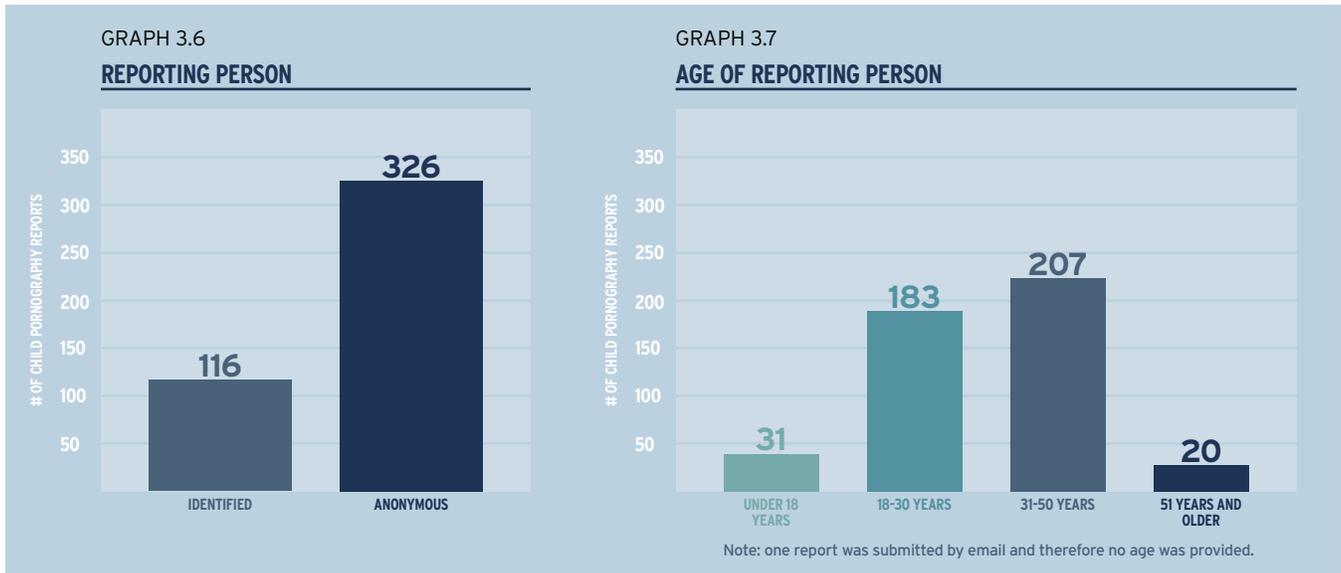


FIGURE 3.1

**CHILD PORNOGRAPHY REPORTS:  
METHOD OF SUBMISSION BY THOSE WITHIN MANITOBA**

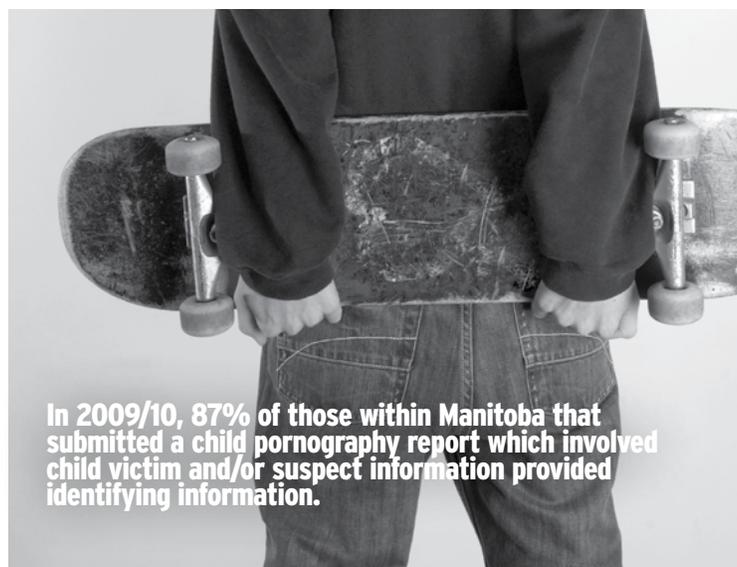
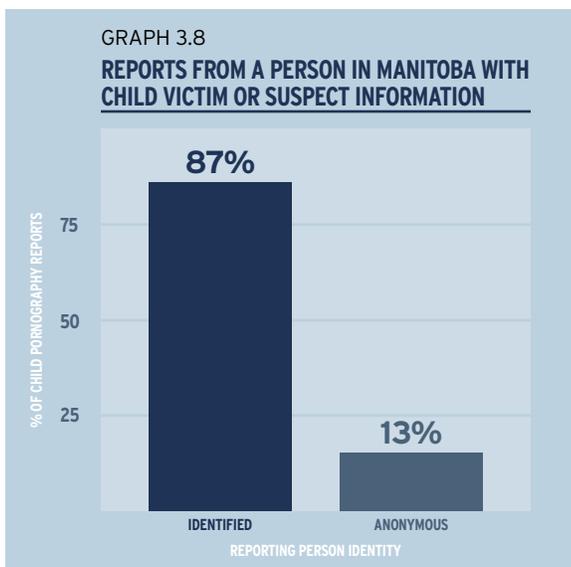


Graphs 3.6 and 3.7 provide a breakdown of the number of reports where the reporting person has provided identifying information or chose to remain anonymous, in addition to an age breakdown of the reporting persons.



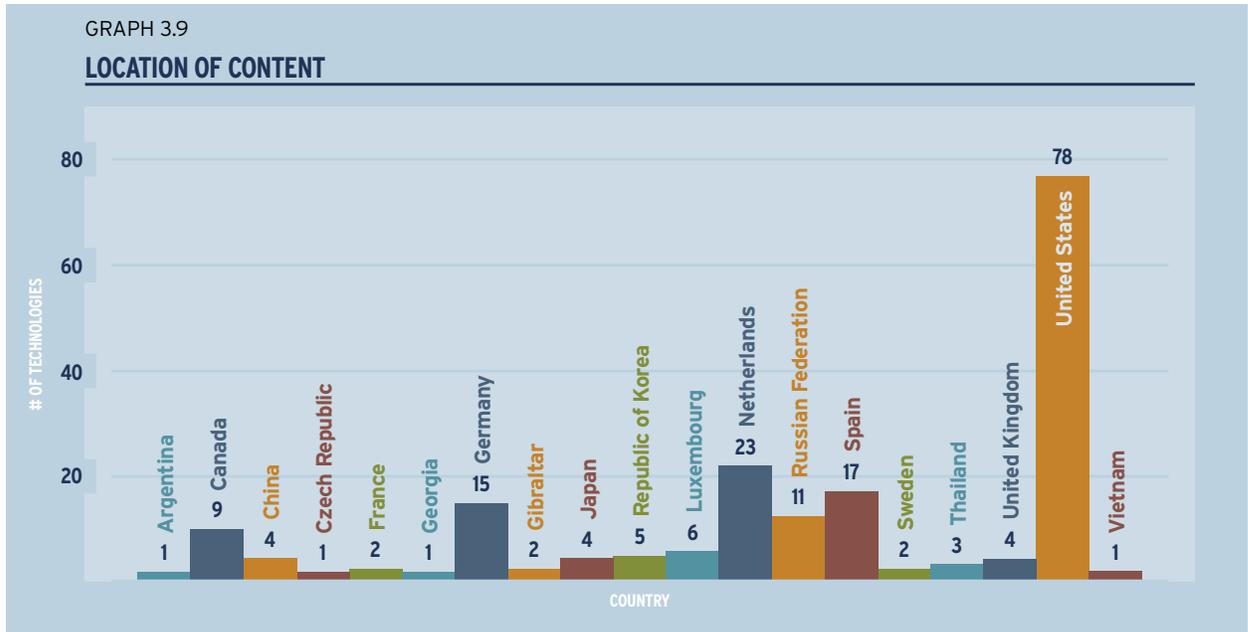
Within Manitoba, 75% of those reporting child pornography concerns chose to remain anonymous. This number was not surprising given that the majority of child pornography reports pertain to website incidents. When an individual comes across a website that may contain child pornography, s/he likely has no idea who the children in the images are nor has any suspect information. This ratio was consistent with Cybertip.ca’s overall number when the public reports on a website of concern.

When reports involved child victim and/or suspect information, the reporting person was more likely to provide identifying information. In 2009/10, 87% of those within Manitoba that submitted a child pornography report which involved child victim and/or suspect information provided identifying information.



**D. LOCATION OF CHILD PORNOGRAPHY CONTENT ON WEBSITES:**

**30% (189 of 636) of the website incidents** created for the reports submitted from individuals within Manitoba were classified as child pornography, child pornography unconfirmed, child pornography making available, child pornography making available unconfirmed or child pornography written. Graph 3.9 represents the location of the content.



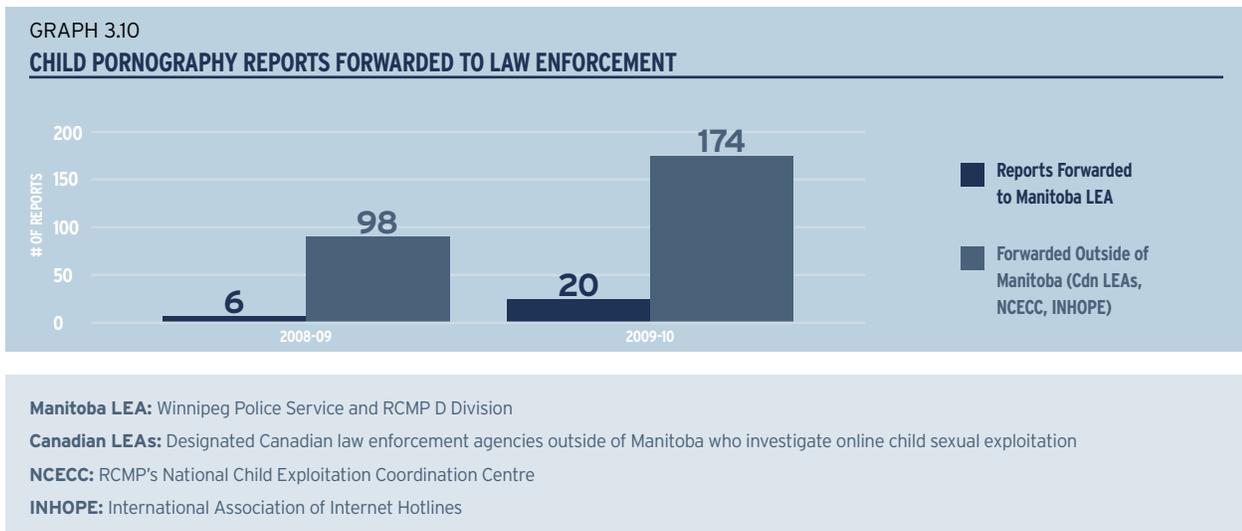
Nine of the website incidents submitted by a person in Manitoba pertained to content hosted in Canada. Reports of incidents within Canada were forwarded to either Toronto Police Service or Montreal Police Service and did not contain any information on a child victim or suspect.





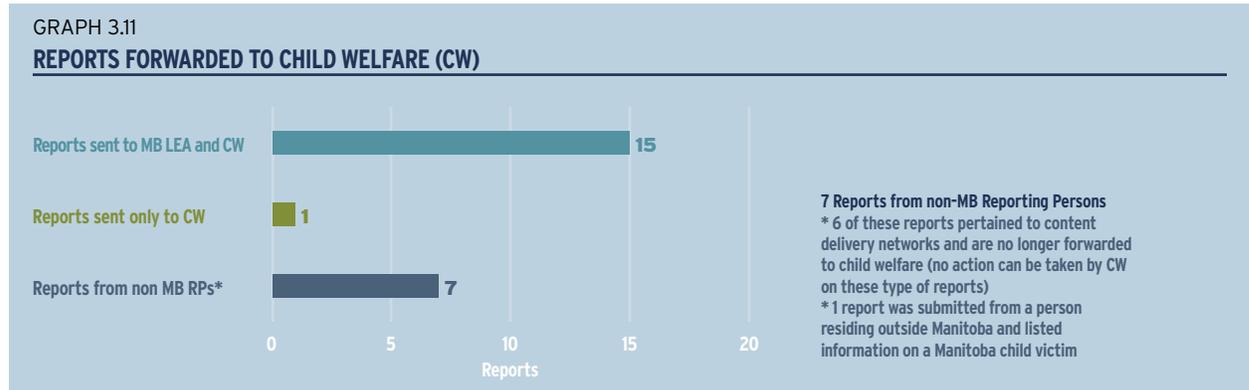
**E. REPORTS FORWARDED TO CHILD WELFARE AND MANITOBA LAW ENFORCEMENT:**

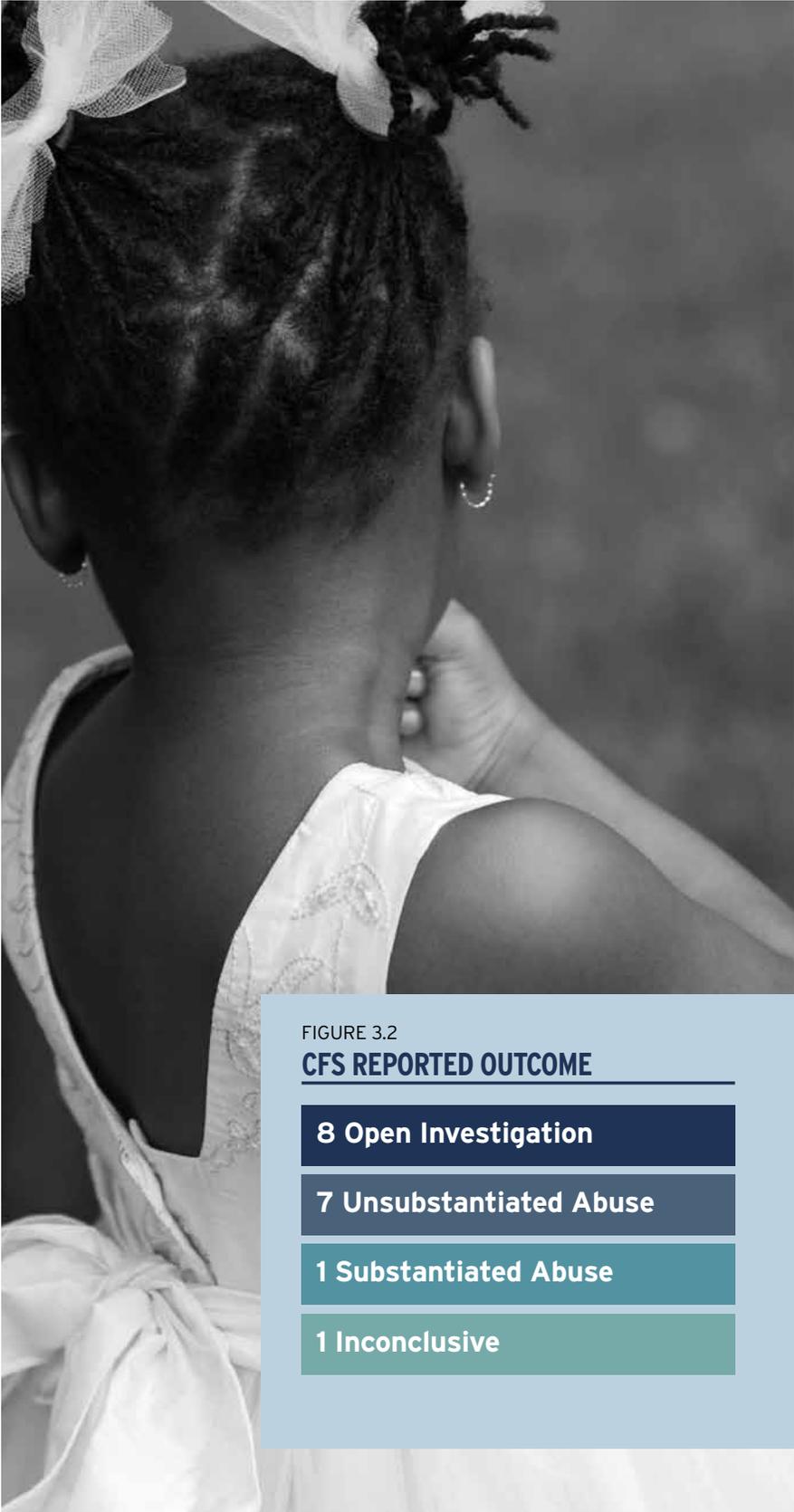
44% of reports submitted by someone within Manitoba and classified by the reporting person as child pornography were forwarded to LEA/INHOPE hotlines. This is consistent with the percentage of all reports submitted to Cybertip.ca which are forwarded to LEA/INHOPE hotlines (45.6%).



Since proclamation, **90% of the reports submitted by individuals within Manitoba were forwarded to law enforcement agencies/INHOPE hotlines outside of Manitoba.** The majority of what is reported by individuals within Manitoba does not relate to content/incidents within Manitoba. This demonstrates the importance of having a reporting entity to triage and forward reports to the appropriate agencies/jurisdictions and is consistent with the triaging rate for other provinces.

15 of the 20 reports which were sent to law enforcement within Manitoba were also sent to child welfare within Manitoba. Child pornography reports which do not involve an identified child victim and/or suspect within Manitoba are not forwarded to child welfare (ie. websites).





Since proclamation, **Cybertip.ca has forwarded a total of 17 reports\* to child welfare** (excludes the 6 reports pertaining to content delivery networks) **which contained information on an identified child victim and/or suspect within Manitoba.** This appears to be in line with the predicted impact of mandatory reporting on child welfare in Manitoba which was estimated at 22 reports in the first year. In the year preceding proclamation, there were no child pornography reports forwarded to child welfare from Cybertip.ca.

*\* 15 reports were submitted from individuals within Manitoba and also forwarded to Manitoba law enforcement; 1 report was submitted by an individual within Manitoba and only forwarded to child welfare; 1 report was submitted by someone outside of Manitoba*

FIGURE 3.2  
**CFS REPORTED OUTCOME**

<b>8 Open Investigation</b>
<b>7 Unsubstantiated Abuse</b>
<b>1 Substantiated Abuse</b>
<b>1 Inconclusive</b>



## Sample Reports Forwarded to Child Welfare

In April 2009 Cybertip.ca received a report indicating that a child had disclosed being sexually abused by her father and described images being taken and possibly posted online. Child welfare determined that several children had been sexually abused by this suspect. The child welfare investigation was concluded as Substantiated Abuse and criminal charges are pending.

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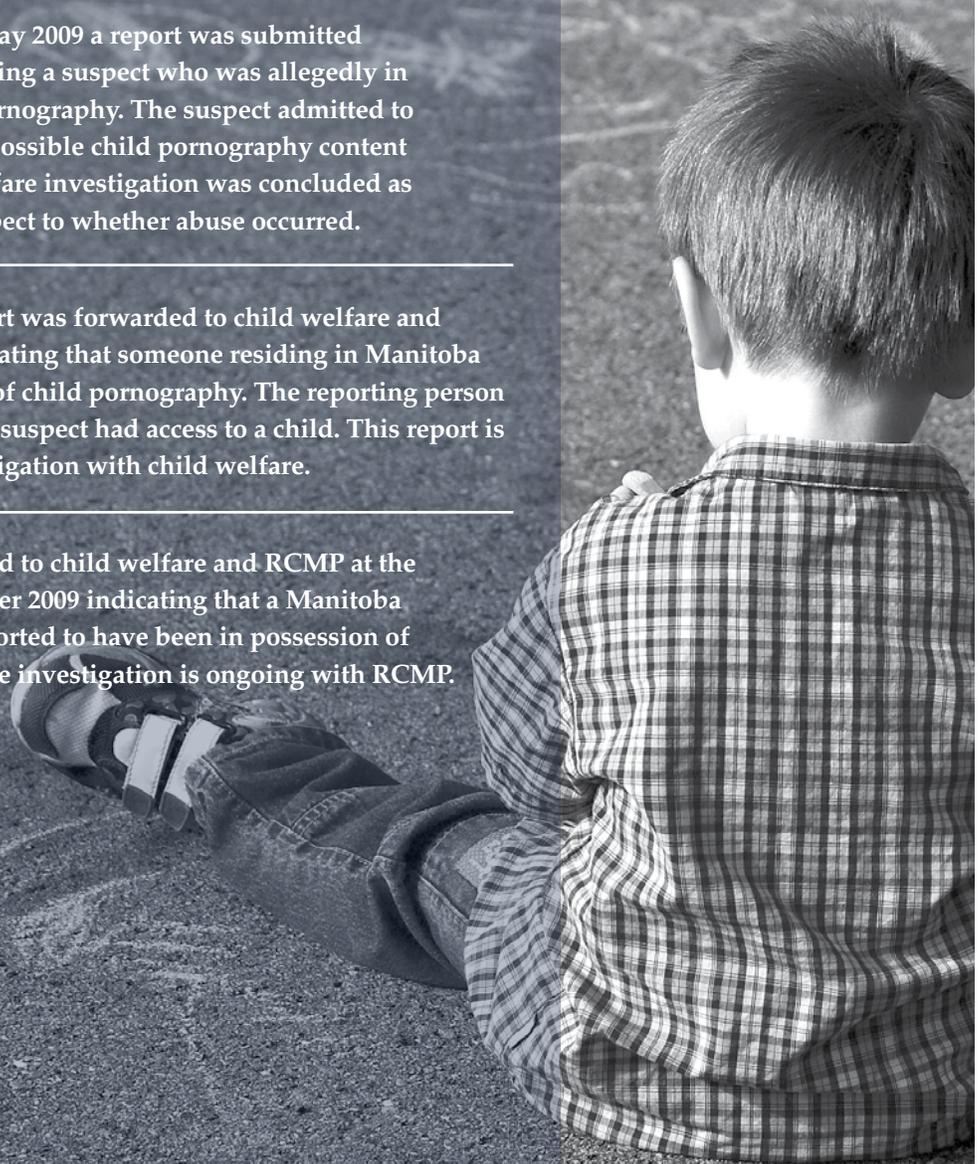
At the beginning of May 2009 a report was submitted to Cybertip.ca concerning a suspect who was allegedly in possession of child pornography. The suspect admitted to accidentally viewing possible child pornography content in 2005. The child welfare investigation was concluded as Inconclusive with respect to whether abuse occurred.

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In August 2009, a report was forwarded to child welfare and law enforcement indicating that someone residing in Manitoba may be in possession of child pornography. The reporting person also indicated that the suspect had access to a child. This report is currently under investigation with child welfare.

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A report was forwarded to child welfare and RCMP at the beginning of September 2009 indicating that a Manitoba based suspect was reported to have been in possession of child pornography. The investigation is ongoing with RCMP.



## IV. MANDATORY REPORTING PUBLIC AWARENESS CAMPAIGNS 2009/10

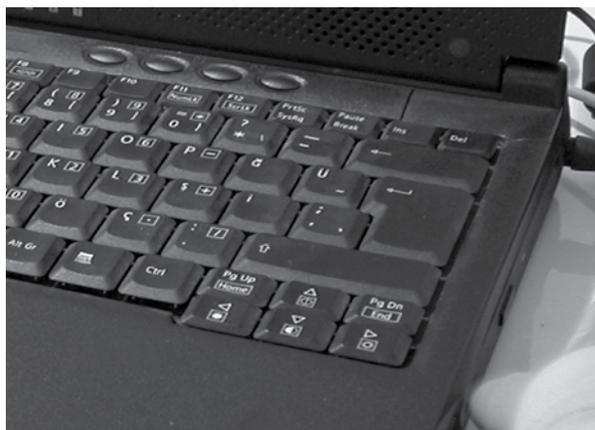
On April 15, 2009 Manitoba proclaimed the mandatory reporting of child pornography under the Child and Family Services Act. As one of the designated reporting entities, Cybertip.ca was tasked with raising the public's awareness in the Province of Manitoba on this new legislation.

Two campaigns were executed in the province; one titled **Child Pornography Doesn't Report Itself** and the other **Child Pornography is Child Abuse**. The first campaign ran immediately after proclamation, from April 27 to May 24, 2009. Marketing components included billboards, interior transit cards, king transit posters and street level ads.



Child Pornography Doesn't Report Itself – Horizontal Billboards

CHILD PORNOGRAPHY DOESN'T REPORT ITSELF	DAYS OF EXPOSURE
Billboards (Winnipeg, Selkirk, Brandon, Minnedosa, Dauphin)	351
Interior Transit Cards	14,472
King Transit Posters	2,160
Street Level Ads	405



THERE WAS A **9% INCREASE** INCREASE IN PAGE VIEWS TO THE CYBERTIP.CA WEBSITE DURING THE **CHILD PORNOGRAPHY DOESN'T REPORT ITSELF** CAMPAIGN

The second campaign on raising awareness about mandatory reporting ran from August 3 to September 24, 2009. Similar to the April campaign, marketing components included billboards, interior transit cards, king transit posters and street level ads.



Child Pornography Is Child Abuse – Horizontal Billboards

CHILD PORNOGRAPHY IS CHILD ABUSE	DAYS OF EXPOSURE
Billboards (Winnipeg, Dauphin, Flin Flon, The Pas, Minnedosa, Neepawa)	250
Interior Transit Cards	53,600
King Transit Posters	4,000
Street Level Ads	750

The goal of both campaigns was to raise Manitobans’ awareness of the issue and the significant role they play in protecting children from abuse and exploitation. When compared to the previous year, reports from those residing in Manitoba in 2009/10 **increased by 126%**. Page views to the Cybertip.ca website also increased over the periods that these campaigns were running across the province.

**THERE WAS A 7% INCREASE IN PAGE VIEWS TO THE CYBERTIP.CA WEBSITE DURING THE CHILD PORNOGRAPHY IS CHILD ABUSE CAMPAIGN**

## V. RECOMMENDATIONS GOING FORWARD

The results observed in the year following the proclamation of mandatory reporting of child pornography in Manitoba underscore the importance of training, education and public awareness. Each of these is tied into what the Canadian Centre for Child Protection will continue to do moving forward.

The Canadian Centre for Child Protection will:

**1. Continue to provide training for child welfare professionals within Manitoba as it relates to child pornography. The focus will include:**

- Review of mandatory reporting including the history, importance, legislative changes, and process
- Connecting child pornography and child sexual abuse – the impact of the Internet, the connection between offenders who access or possess child abuse images and the commission of sexual offences against children, adapting sexual abuse interviews with children to assess whether the abuse has been recorded

**2. Continued public awareness campaigns in Manitoba:**

- Campaigns geared towards the general public to increase their understanding of what child pornography is and their obligation to report suspected child pornography
- Tailored campaigns targeted to industry and appropriate stakeholders (i.e. schools, universities) educating them on the legislation, their duty to report, and ensuring organizational policies are consistent with the new legislation

**3. Develop and provide educational materials. Child pornography is images of children being sexually abused. In order to prevent child sexual abuse, increase the likelihood of early disclosure and reduce the number of child sexual abuse images being placed online, education is required.**

- Education specific to children under the age of 12 should focus on sexual abuse, recognizing inappropriate behavior and promoting disclosure to safe adults
- Adults who have regular contact with children (parents, child care workers, teachers, medical staff, etc.) should learn about child sexual abuse, how to recognize inappropriate behavior, and how to educate children about child sexual abuse

**4. Engage in research and advocacy related to the issue. Once a child sexual abuse image or video is on the Internet, there is no way to gain control of the content.** These images and videos are distributed and propagated on the Internet, with numerous offenders accessing the content, resulting in the child being repeatedly victimized. There is limited research on the nature and extent of the trauma to the victim and their healing process when images of their abuse are posted online. Understanding the impact may improve treatment outcomes for the victims.

**5. Implement changes to the Cybertip.ca Child Welfare Portal:**

- Include the ability to assign reports to child welfare agencies outside of the All Nations Coordinated Response Network
- Facilitate child welfare's ability to provide feedback on reports received from Cybertip.ca
- Provide educational material pertaining to responding to and assessing concerns involving child pornography

**ANNEX A: Flow Chart of Mandatory Reporting Child Pornography Numbers in Manitoba (2009/10)**

**TOTAL CHILD PORNOGRAPHY REPORTS  
SUBMITTED TO CYBERTIP.CA  
(CANADA AND INTERNATIONAL)**

**7,300**



**TOTAL CHILD PORNOGRAPHY REPORTS  
SUBMITTED TO CYBERTIP.CA  
FROM A PERSON IN MANITOBA**

**442**



**'ACTIONED' CYBERTIP.CA REPORTS (UNIQUE)  
SUBMITTED BY A PERSON IN MANITOBA**

Reports Forwarded to Child Welfare/Manitoba Law Enforcement Agency (LEA)

**17\* CHILD WELFARE/20 MB LEA**

*\* 1 report was submitted from a person residing outside Manitoba containing information on a Manitoba child victim which was forwarded to child welfare*

Reports Forwarded Outside Manitoba (Other Cdn LEAs, NCECC, INHOPE)

**174**

## VI. GLOSSARY

**INHOPE:** International Association of Internet Hotlines. INHOPE was founded in 1999 under the EC Safer Internet Action Plan.

**PEER-TO-PEER:** Peer-to-peer (P2P) file sharing uses a software program to locate computers (peers) hosting a particular file available for download. When the software finds a computer that has the file you want on its hard drive, the download begins.

**NEWSGROUP:** A newsgroup is an online discussion about a particular topic. Newsgroups provide users with the ability to post messages about the topic. The messages are stored and available to read for other users who subscribe to the newsgroup. Newsgroups can be accessed through browser based newsreaders (a separate website type) or they can be accessed through non-web browser based software clients.

**FTP:** File Transfer Protocol (FTP) is a network protocol used to transfer data from one computer to another through a network such as the Internet. FTP sites are typically used for uploading and downloading files to a central server computer in order to distribute the files.

**BITTORRENT:** BitTorrent is a protocol that allows for quick downloading of large files by obtaining parts of the file you want and downloading them simultaneously from various computers that have the file (or a portion of the file).

**CHILD PORNOGRAPHY MAKING AVAILABLE:** Is a secondary classification used by analysts to describe websites that make illegal content available but are not specifically hosting the illegal content on their servers. As well, it includes websites where no images of child pornography are found on the website but it provides links or text links to other websites hosting illegal images.

**CHILD PORNOGRAPHY UNCONFIRMED:** Is a secondary classification used by analysts where an analyst is unable to determine or confirm the sexual maturation rates of the individual in the content but there is reason to believe the material is potentially illegal.

**EXPLOITATIVE CHILD MODELING:** Reports of online material containing images of children provocatively posed in various outfits; however, no genitals are exposed in the images.







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