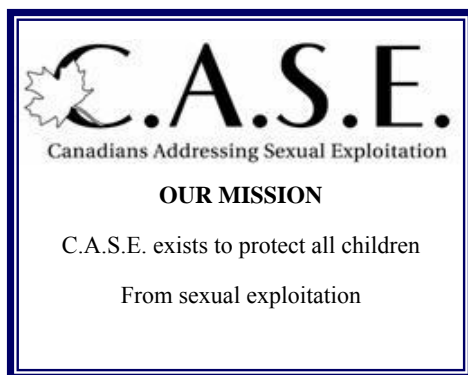


## **LET YOUR VOICE**

### **BE HEARD!**

Organize a White Ribbon Against Pornography (WRAP) Campaign in your community. Order a Ribbon of Signatures from C.A.S.E. that states: **“Protect Our Children from Sexual Predators”** It’s easy to collect signatures. When the ribbon is full of signatures, deliver the signed ribbon to your Member of Parliament with a letter asking for changes in controlling the pornographic content of the internet.



## **INTERNET SERVICE PROVIDERS and CHILD ABUSE ON-LINE**



P . O . B o x 3 6 2 5 6 9

85 Ellesmere Rd.

Toronto, ON • M1R 5G8

Phone: 416-412-6065

Fax: 416-412-1321

Website: [www.4case.ca](http://www.4case.ca)

Email: [case@4case.ca](mailto:case@4case.ca)

**Protecting  
Children from  
Sexual Exploitation**

## **INTERNET SERVICE PROVIDERS (ISPs) WHO ARE THEY AND HOW DO WE REACH THEM?**

Most of us are aware that an Internet Service Provider (ISP) is a company that provides access to the Internet for a monthly fee. There are thousands of Internet Service Providers around the world and numerous companies to provide service in each of our communities. Your local Internet Service Provider is the obvious one to contact if you come across inappropriate material on the internet. Also report the site to [cybertips.ca](http://cybertips.ca). Several providers are listed below and more may be found at:

<http://www.broadbandmarket.ca/providrs.html>

AT&T Business Net (was IBM internet)

AT&T Canada (was Netcom Canada)

DirecPC (uses direct-to-home satellite downlink)

iPrimus Canada

iSTAR (a national service formed by the merger of NSTN and fONOROLA’s i\*internet)

Rogers, Shaw and Cogeco Wave (use high-speed cable modem technology)

Sprint Canada (was fONOROLA)

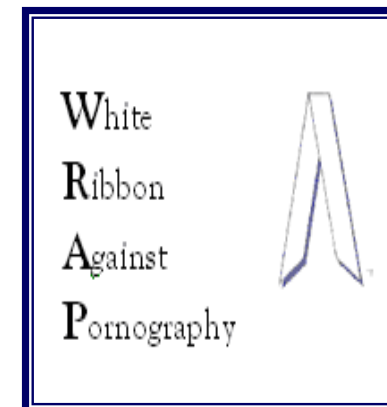
Sympatico (has high-speed ADSL service)

UUNET CANADA


Send your signed ribbons to your local Member of Parliament or directly to the Minister of Heritage, The Honourable James Moore at:

House of Commons, Parliament Buildings, Ottawa ON K1A 0A6

**“ISP’s Help Protect Our Children From  
On-Line Predators!”**



Do your part, order your WRAP kit today from C.A.S.E.; collect signatures and lobby your MP to stop Internet Service Providers from supporting these Pornographic sites



## FIGHTING CHILD PORN ON-LINE

When Michael Briere pleaded guilty to the killing of 10-year-old Holly Jones last year, he also confessed to having habitually viewed child pornography on the Internet, sparking immediate calls to toughen up our laws against it.

For those who don't understand how the Internet works, forcing Internet Service Providers to co-operate with law enforcement seems like a good way to stop this heinous trade. But the Internet is not controlled by ISPs. We are all responsible for its future.

Once law enforcement has isolated an illegal activity and identified the Internet Protocol address and time of the transmission, they issue a formal request to the ISP responsible for that address, asking it to reveal the subscriber identification information needed to carry on an investigation.

Most ISPs co-operate fully with these formal requests; others face a harder time complying, because they are not structured in a way that makes this identification easy, or they do not retain records of IP address use for as long as it sometimes takes law enforcement to track the activity.

While legislation could mandate correcting these problems, task forces that bring together industry and law enforcement are looking for co-operative

solutions that work with, rather than against, evolving technologies and business practices.

Formed in the wake of Briere's hearing, these federal and provincial groups go a long way toward slowing the trade in child-abuse images precisely by seeing it as a mutual project.

There is the false impression that if only the ISPs would co-operate, offenders would be caught.

Larger barriers to apprehending offenders stem from the culture of Internet users who continue to value the freedom from controls that govern physical spaces that the Internet promises. This culture translates into a market for ever-evolving software applications that allow for anonymous activity.

While there are valid reasons for wanting to be anonymous on the Internet privacy (like most of our rights) should be limited when that interest interferes with the rights of others.

Rights are part of a community fabric, where privacy interests are balanced with the security and dignity interests of the children who are victimized by people who produce and collect images of their abuse.

*"The fight against child sexual abuse and the legislative changes needed to back it up will never succeed unless the public wakes up to the nightmare in its own backyard."*

Detective Sergeant Paul Gillespie,  
Toronto, Ontario, Police Sex Crime Unit

Fulfilling our mutual responsibility to protect children involves agreeing that law enforcement should be able to hold people accountable for their crimes.

It means reporting any suspicious activity you might encounter relating to online child exploitation to the recent, nationally launched cybertip.ca, the hotline that will forward such information to the appropriate authorities.

It also means not using a software application that allows you to trade files anonymously, if doing so means you are facilitating the trade in child pornography. No amount of "free" music is worth that.

Legitimate uses notwithstanding, the evolution of file-sharing programs has been driven by the demand for ways to avoid liability for trading copyrighted materials.

Civil suits against users of popular programs like Kazaa and Grokster have inspired newer file-sharing systems like Freenet and Bit Torrent that feature encrypted and distributed content rather than publicly shared folders. Because these newer networks also require users to contribute bandwidth and part of their hard drive for storing other users' encrypted files users of these programs must forego the possibility that their hard drives will be used to house child-abuse images.

One of the FAQs on Freenet's website, for instance, specifically asks: "I don't want my node to be used to harbour child porn, offensive content or terrorism. What can I do?"

To which the reply states, "The true test of someone who claims to believe in freedom of speech is whether they tolerate speech which they disagree with, or even find disgusting. If this is not acceptable to you, you

should not run a Freenet node."

While sometimes operating with noble intentions harbouring child-abuse images on your hard drive is not the price of freedom.

While Canada's current definition of child pornography remains too broad, and consequently a threat to freedom of expression interests, the images at the core of the offence are beyond the scope of freedom of expression.

To participate in a file-sharing network that refuses to be accountable to these children is to participate in their exploitation.

On Monday, the Centre for Innovation Law and Policy launched the "Safe Computing Program" with Microsoft Canada to help in the fight against online child sexual exploitation.

As Internet citizens we need to encourage the democratic ideals of public participation and accountability. We need to support faith in the rule of law, which ensures that just procedures determine when and whether law enforcement can peer into private communications.

Without support for this mutual and co-operative project, the Internet will not truly be free.

"We must be willing to cede some freedom."

Andrea Slane teaches law at the University of Toronto Faculty of Law, where she is a fellow of the Centre for Innovation Law and Policy

Feb 25, 2008