



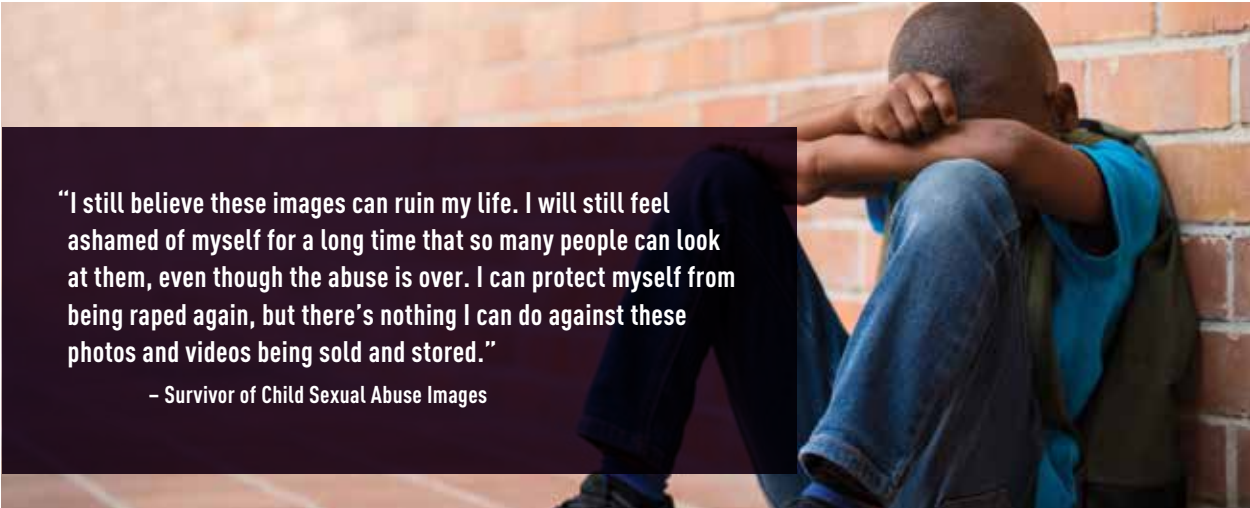
CANADIAN CENTRE *for* CHILD PROTECTION®
Helping families. Protecting children.

HOW WE ARE FAILING CHILDREN: CHANGING THE PARADIGM

Canadian Centre for Child Protection's Framework for the Protection and Rights of Children in the Removal of Child Sexual Abuse Images and Harmful/Abusive Images of Children

What is the Problem?

The Canadian Centre for Child Protection (Canadian Centre) has been tirelessly fighting the global epidemic of child sexual abuse images/videos for close to 20 years. It is evident that child sexual abuse imagery¹ and its growing availability on the internet is substantially impacting the lives of children/survivors and all those trying to protect them. Survivors have essentially been left to cope with the ongoing trauma that can come from the knowledge that their child sexual abuse/images may be, or are, publicly available and continue to be shared among those with a sexual interest in children. Feelings of fear, shame, and a sense of powerlessness are common for survivors. The undeniable truth is the rights of a victimized child are continually violated as long as images/videos of them being sexually harmed and abused are available on the internet.



"I still believe these images can ruin my life. I will still feel ashamed of myself for a long time that so many people can look at them, even though the abuse is over. I can protect myself from being raped again, but there's nothing I can do against these photos and videos being sold and stored."

– Survivor of Child Sexual Abuse Images

¹ Within this framework, the term child sexual abuse images/imagery includes those images or videos that fall within a criminal definition. The term harmful/abusive images of children encompasses all images or videos associated with the abusive incident (in addition to the material meeting the criminal threshold), nude or partially nude images or videos of children that are harmful, as well as images or videos of children being physically abused, tortured, or restrained.



Project Arachnid: The Data

Project Arachnid — our web crawler and platform that detects child sexual abuse images/videos on the open and dark web, and then issues takedown notices to hosting providers — has placed a spotlight on this epidemic. Operating for about three years, the evidence pulled from Project Arachnid continues to show how we are failing children and the urgent need to change the paradigm when it comes to the **removal of child sexual abuse images**.

Project Arachnid results as of December 2019:



**Over 96 billion
images processed**



**Over 13.4 million
suspected images of child
sexual abuse triggered for
analyst review**



**More than 4,200
victim series
detected**



**Almost 5 million
notices sent
to industry***

*Industry is defined as a group of businesses that intersect with user-generated content by way of the internet. It is used as a broad sweeping term, encompassing large and small technology companies.

Responses from Industry to Removal Notices

Through operating Project Arachnid, we have become deeply concerned by the varying levels of commitment demonstrated by industry to safeguarding children. We continue to see a range of responses to notices involving child sexual abuse images (those that meet a criminal law threshold) issued by Project Arachnid. Companies can occupy multiple categories. For example, we encounter companies that are both proactive as well as resistant. This spectrum of responses include:

1. **Proactive:** Companies that actively seek to detect and prevent child sexual abuse imagery from being posted on their service. This typically involves the larger technology companies but can include some smaller ones.
2. **Reactive:** Large and small companies that remove when notified but do not actively seek to prevent child sexual abuse imagery on their service. Those that react to notices also have varying durations in removal time.
3. **Resistant:** Companies that debate/push back on removing the material, either not being satisfied that the image is a child or not agreeing with us that the image or video is illegal in nature.
4. **Non-compliant:** Companies that ignore takedown notifications or simply refuse to remove material that is clearly child sexual abuse imagery.
5. **Complicit:** Companies that knowingly allow child sexual abuse imagery on their services and may attempt to protect clients engaged in illegal activities.

Some companies will act on a wider set of images that are clearly harmful even if they are not necessarily illegal, while others base their response solely on statutory obligation. There is a lack of transparency and accountability in the process of image removal, and **industry has had extensive discretion and authority on decisions tied to the removal of these images. This must change.**

What Needs to Change?

Project Arachnid prompted us to write *How we are Failing Children: Changing the Paradigm*. In this framework for action we are proposing a set of principles that prioritizes the best interests and protection of children, clarifies roles and responsibilities with governments, trusted/verified hotlines and industry, and ensures a coordinated, standardized, and effective response across jurisdictions as it relates to the removal of this material.

Our framework is grounded in the rights of children to dignity, privacy, and protection from harm. There are two major aspects around the removal of child sexual abuse images, and harmful/abusive images that urgently needs to change:

1. First, if we look at the removal of child sexual abuse imagery simply from a criminal law threshold (images that would qualify as worst of the worst, and be seen as illegal in most countries), we are failing. This must change. With approximately 400 companies currently receiving notices issued by Project Arachnid, takedown time is as follows: When notified of child sexual abuse imagery on their service, the best 10% of industry comply with removal in one day or less, while the bottom 10% takes more than two weeks.
2. Second, it has become abundantly clear from our work in Project Arachnid that we are not going far enough to protect children from abuse and harm with the removal of images and videos that fall outside of a criminal threshold. Countless harmful/abusive images of children remain online because we have approached removal from the perspective of what is or is not possible under criminal law versus tackling it based on what is in the best interests of children and what is needed to safeguard them from harm. Our operational principles for removal address these gaps and we are urging industry to adopt this approach.

Industry has the power to remove harmful/abusive images of children by way of their own terms of service.



Principles for Action:

The Canadian Centre is urging industry to act on removal notices without subjectivity or unevenness when notified by a trusted/verified hotline, which includes internet providers denying services to those negligent or complicit in the online availability of child sexual abuse images. It is essential that governments take leadership and provide laws that put the interest of children at the centre of this discussion, and society has the power to demand change.

In addition to the material meeting the legal definition of child sexual abuse images, in the coming months, Project Arachnid is going to begin issuing notices to industry on a broader set of images that include:

1. All material recorded in the course of a sexually abusive scenario/incident² involving a child victim (identified and unidentified). The expectation is that this material will be actioned and removed immediately by industry.

A set of images capturing an abusive incident will often include photos of the child that do not meet the legal definition of child sexual abuse material, but are part of the continuum of abuse. For example, a video recording of a toddler who ends up being sexually abused may begin with the child standing in a dress beside a bed. A still image of that child in her dress is created from the start of that video and is part of the continuum of abuse. Such images typically are used to advertise where to find additional images/videos involving child sexual abuse.

Another tactic sometimes used to circumvent laws is to crop abusive images, or place emojis or black boxes/lines over the child's sexual organs. For instance, offenders may create a separate image of the child's face or feet from the abuse material. Under this principle, industry members are to take action and remove ALL images that are derived from illegal images/videos, not just the material meeting the legal definition of child sexual abuse images.

2. Nude or partially nude images/videos* of children that have been made publicly available (typically stolen from unsecured social media accounts or surreptitiously taken images), AND are used in a sexualized context. The expectation is that this material will be actioned and removed immediately by industry.

Stolen/reposted images are commonly found within forums and chatrooms used by those with a sexual interest in children. These are typically images/videos which have not been properly secured, or may have been posted innocently to social media or in an online photo album (often by parents/family members). This makes it possible for offenders to take the material and make it publicly available in a vastly different context, such as in the context of sexualized commentary or chats.³ Examples of these types of images include, but are not limited to, nude or partially nude images of children on the beach, at playgrounds, splash pads, babies on change tables, children urinating, and children nude/partially nude in what appears to be a home setting.

* Industry is to immediately action and remove publicly available images of clothed children where the offender appears in an image to be masturbating to/ejaculating on a clothed child, or on an image of a clothed child, or the image is used in a sexualized context as with the nude/partially nude images.

3. Images/videos of a child being physically abused, tortured, or restrained. The expectation is that this material will be actioned and removed immediately by industry.

With or without a sexual context, with or without nudity or semi-nudity, images or videos of children being physically abused, tortured, or restrained constitute an egregious breach of a child's right to privacy and dignity. This material often involves elements of sadism and child torture, for example, children being hogtied and gagged; being handcuffed or chained; being caged; being burned; being beaten/whipped/hit.

² This includes incidents that appear to be self-generated.

³ Similar to principle one, with these images, offenders will sometimes use emojis or black boxes/lines to cover a child's sexual organs.

When we are talking about REMOVAL, it is inappropriate to apply a criminal standard of proof to the assessment of these images when the purpose is not to punish criminals — it is to protect children and victims of child sexual abuse images from further victimization and harm by expeditiously removing the material.

This framework is an urgent call to action for those in a position to make change happen for children. It is no longer an option to accept the status quo. We know too much about the ways in which children are being exploited and victimized online to do nothing. It is not enough to confine removal to what is clearly illegal. Adopting criteria that is focused on what is in the best interest of the victimized child, and for children in general, is required. It is their dignity rights, their privacy rights, and their right to be safe and secure from harm that must take precedence.

Canadian Centre Survey: Industry's Role in Prioritizing Removal of Harmful/Abusive Images of Children

In conjunction with the November 9, 2019, *New York Times* article, “Child Abusers Run Rampant as Tech Companies Look the Other Way,” the Canadian Centre launched a short survey for the general public to weigh in with their view on the responsibility industry bears in the removal of child sexual abuse images and harmful/abusive images of children on the internet. In three weeks, over 2,000 people have completed the survey which will continue to remain open for the foreseeable future. **Results include:**

- **83%** felt a technology company who does not remove child sexual abuse imagery on its service companies should be criminally charged. Another **15%** felt companies should be fined for failure to remove.
- **91%** felt governments should pass laws that require technology companies to meet safety standards that include penalties for non-compliance.
- **94%** felt that technology companies who are notified that stolen images of children are being reposted/shared in a sexual context on their services and platforms should be required by law to remove the stolen images.⁴

**To read the full version of *How we are Failing Children: Changing the Paradigm*,
visit protectchildren.ca/framework.**

About Canadian Centre for Child Protection

The Canadian Centre for Child Protection is a national charity dedicated to the personal safety of children. Our goal is to reduce the sexual abuse and exploitation of children, assist in the location of missing children, and to prevent child victimization. The Canadian Centre operates Cybertip.ca — Canada’s national tipline to report child sexual abuse and exploitation on the internet, as well as other intervention, preventions and education services to the Canadian public.

Media Contact:

Canadian Centre for Child Protection
(204) 560-0723
communications@protectchildren.ca

⁴ An example of a stolen image is when someone snags a photo of a nude or semi-nude child from a person’s unsecured social media account. It is not uncommon for these type of images (e.g., an image of a toddler in a mini pool in a backyard) to then appear on public forums and chatrooms harmful to children where the image is used in a sexualized context by those with a sexual interest in children.