

CONFRONTING CHILD SEX TOURISM***ACTA Becomes the Second Signatory of The Code Of Conduct for the Protection of Children in Travel and Tourism***

Beyond Borders' President, Rosalind Prober, and Ottawa youth member, Denelle Lambert, traveled to Montreal, Quebec this June as one of Canada's most important associations in the travel and tourism sector, **ACTA The Association of Canadian Travel Agencies**, signed the Code of Conduct. ACTA signed the Code at the Annual General Meeting of its members. This followed a resolution voted by members last year on responsible tourism.

Established in 1977, the Association of Canadian Travel Agencies (ACTA), is a national trade association representing the retail travel sector of Canada's tourism industry. ACTA is an industry-led, non profit, membership based organization.

The members include retail travel agencies and suppliers such as tour operators, travel wholesalers, airlines, hotels, destination marketing organizations, cruise and rail lines, and automobile rental companies. ACTA represents the interests of Canadian travelers through approximately 2,500 members employing 20,000 travel professionals.

Sex crimes have made headlines in Canada last year with several high profile Canadians charged with child sex offences overseas. Considering that of the 146 Canadians charged overseas with child sex crimes, only one has been so far convicted, ACTA felt it was time to commit to promoting the rights of children against sexual exploitation in travel and tourism in Canada. The Association saw it as a social and moral responsibility and will do its utmost to increase awareness on the subject in the travel industry in Canada.

With the objectives to bring awareness to the industry and to the consumers-travelers, the



Jean Collette, Chair of the Board of Directors of ACTA, Rosalind Prober, President Beyond Borders, and Christine Théberge, President and Chief Executive Officer of ACTA

Association will be providing its more than 2,500 members agencies with brochures, leaflets, posters and all available information in order to equip their 20,000 employees and their clients-travelers with the necessary knowledge and training needed to identify and report possible child sex exploitation to authorities. ACTA will also add a special section on the issue on its Consumers Web site and amend the code of ethics its member agencies sign on when they become members of the Association.

ACTA is the second signatory to the Code in Canada. The first was Incursion Voyages which continues a child sex tourism awareness campaign in French Canada as part of one of its commitments in signing the Code. ***Beyond Borders congratulates ACTA!***

Report Child Sexual Abuse - www.beyondborders.org



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Online Sex Predator Paroled *Reprint of Article in The Edmonton Journal*

EDMONTON - An Internet sex predator who approached hundreds of girls before blackmailing two Alberta teens into stripping for him online has been released on day parole. The National Parole Board released Joshua Innes less than a year after he was sentenced to nine years in prison for his crimes and despite the fact that his case management team recommended against it.

The 26-year-old Montreal man used multiple online personas to manipulate the girls, who were 13 and 14 years old. He lied about his identity and tried to extort live-cam shows from them over the Internet, a crime an Edmonton judge called “unprecedented.”

In a decision released Friday, the board said Innes made progress in his treatment program and demonstrates “insight and understanding” about what led to his crimes. “While you were offending you were leading a double life and found your Internet involvement both intoxicating and addictive,” the board wrote. “While you have yet to deal with the addictive aspect of your criminal behaviour, your double life has been exposed.”

Innes was eligible for accelerated parole consideration because he is a first-time federal offender. The board said his willingness to continue in counselling along with his community support and positive release plan persuaded them to grant parole. However, the board said

Innes cannot access the Internet while he is on parole.

Innes befriended his first victim, a 13-year-old, by posing online as a 16-year-old girl named Nicky. As Nicky, he told the Edmonton girl he wanted to see her nude, and sent a video of a 16-year-old girl engaging in various sex acts, alone. Then he coaxed her into transmitting a live show via webcam. During the show, he told her what to do through an instant messenger. He eventually revealed his real identity and then threatened to share the video with the girl’s friends on Nexopia, an online community. She put him off until her parents found out through a friend and called police. Police continued to pose as the girl and tried to get Innes to send the video. The last time he wrote to her, he said: “You’re gonna regret this forever.”

The judge in the case said Innes’s online crimes were tantamount to a sexual assault, in part because the psychological impact of his crimes on the girls was so profound. Innes will still have to report to the sex-offender registry for 20 years and give a DNA sample to the national databank. For the next 20 years, he will not be allowed in any public place where there are children, nor will he be allowed to communicate with kids online.

[Reprint of article by Karen Kleiss, The Edmonton Journal, July 19, 2008]

Parole Board Wrong *Letter to The Edmonton Journal from Beyond Borders*

Published: Saturday, July 26

Re: “Online sex predator paroled: Montreal man served less than a year for blackmailing two Alberta girls into stripping for him online,” The Journal, July 19.

The decision of the National Parole Board to release Joshua Innes less than one year into a nine-year sentence is shocking. Innes’ sentence was intended to reflect the gravity of his crimes, which Judge James Wheatley described as “unprecedented.”

Punishment and deterrence are two key aspects of sentencing. With the parole board’s decision, not only does Innes go virtually unpunished, but the goal to deter other sexual predators is effectively nullified.

The National Parole Board has essentially trumped the justice system’s responsibility to hold a person accountable for their actions. Furthermore, it has disregarded and discredited the role that Innes’ case management team plays in the protection of the public and the rehabilitation of the offender.

The fight against online sexual predators can only be fought if all parties are moving forward in the same direction. With this decision, the National Parole Board has taken one giant step back.

[Letter sent by Corey Martell, Edmonton lawyer and Media Spokesperson, Beyond Borders]

Steve Sullivan, Canada’s first Federal Ombudsman for Victims of Crime, calls for change to the laws governing early parole to reflect the new reality of how predators can access our children. Child pornography and luring offences should be considered violent crimes when deciding on accelerated parole. “Until that list is updated to include those offences, we could continue to see people like Joshua Innes get paroled after serving one sixth of their sentence,” Sullivan said.

Beyond Borders agrees and supports Steve Sullivan’s call for action.

Social Networking - An Open Invitation to Sexual Predators

By Kevin Fong

The Internet has become a very popular and important medium where people can socialize and interact with each other. There are many networking tools available on the Internet, such as: Instant messaging applications, social networking sites, web blogs, and newsgroups. But there's a real danger that lurks just around the corner where sexual predators prey on children by luring them to meet in person or to expose themselves in a sexual manner to a web cam, in pictures, or video. The Internet provides these predators anonymity that allows them to take advantage of children even when we think they are safe behind the walls of our own home.

Social networking sites are not doing enough to protect their young customers. A perfect example is the case of Ian Stuart Johnson of Calgary, Alberta. He used Nexopia, an online networking site, to solicit sex from underage girls. His account was deactivated 3 times over the course of 3 months before he was stopped when Nexopia contacted the authorities about his activities. In Nexopia's terms of agreements, it states that any inappropriate behavior will ensure the removal of accounts and involvement of law enforcement officials. But why weren't the authorities contacted the first time he committed an offence?

MySpace has become the chosen vehicle for many predators because it is the most popular networking site on the Internet. In Napierville, Illinois alone, four sexual predators have been arrested in the last couple of years, all using MySpace to hunt for their victims. MySpace, unlike many other sites, is making an extraordinary effort to prevent such abuse on its site by employing 200 workers to verify all uploads and links.

Some of these perpetrators are even those whom have sworn to protect the public, for example: Paul Michael Maher, a former Ottawa police officer was trying to lure someone whom he thought was a 14-year-old girl in

Pennsylvania in the Yahoo chat room. But luckily it was an undercover FBI agent. Unfortunately, this was not his first victim, Paul has admitted to the undercover agent, the youngest girl he's been with was 14 years old.

The sentences in these cases are not fitting the crime that was committed and even then the sentences are not carried out to the full extent like in the recent case of Joshua Innes. He was sentenced to 9 years in jail for Internet luring, extortion, and distributing child pornography and has been paroled after serving only 1 year of his sentence. At the time of his sentencing, he was deemed medium to high risk to reoffend but after less than 1 year of therapy and counseling and as a first time offender he qualifies for accelerated parole. This case makes a mockery of our justice system and sends a very bad signal to all predators.

Justice can be long and hard to come by for some victims. A young woman, who was only 14 years old, struck up a friendship with a 17-year-old boy who in reality was 55-year-old Antonio Bono from NewMarket, Ontario. He lured her into sending pornographic videos and pictures of herself. It has been 4 long years since he was caught on April 22, 2004 and the accused, a dangerous offender who created six different online profiles of which 4 of them were female, has yet to be sentenced.

Responsibility falls on many shoulders to prevent such cases from happening. More vigorous monitoring must be done by social networking sites. Mandatory reporting of any inappropriate behavior by anyone to the police is crucial, and if the companies aren't willing or able to do so, then the government should create a new law. Parents must do more to monitor the computer activities of their children, and the public needs to be better educated about the heinousness of Internet luring. — *Beyond Borders thanks Kevin Fong for his article.*

A Pedophile in Love is Still a Pedophile

The Crown lost its motion for permission to appeal the sentence of a Belgian man serving a 20-month sentence for luring a 13-year-old Montreal girl over the internet. Vincent Raphael Duval, 32, pleaded guilty to kidnapping, sexual interference, sexual touching and three counts of luring with a computer. Duval told the court that love drove him to sell his possessions and move to Canada with designs on starting a life with the teen.

While sentencing Duval the judge acknowledged that his case was different from those of internet predators who use the web to stalk young girls strictly for sexual purposes. Still, he said the court had concluded that jail time was necessary. The Crown prosecutor had wanted at least five years in prison for the native of Liège, while the defence had countered with a suggestion of 12 to 18 months in jail. The prosecutor disagreed with the judgment that Duval's behaviour didn't fit the pattern of a pedophile, and sought leave to appeal the sentence. Duval will be eligible for parole early next year. He will be deported once he's released. [Source: CBC News, Aug. 7, 2008]

BEYOND BORDERS - MAKING A DIFFERENCE FOR CHILDREN AT THE GLOBAL LEVEL
World Congress III Against Sexual Exploitation of Children and Adolescents

Beyond Borders Congratulates:

Mark Eric Hecht-

1. Member of the Canadian Steering Committee of the **Global Thematic Consultation on Corporate Social Responsibility**, Winnipeg, Manitoba, Canada, September 25-26, 2008.
2. Writing two papers for the Third World Congress: *The theme paper on Corporate Social Responsibility* and *Canada-A Case Study on the Implementation of Extra-territorial Legislation to Prosecute Travelling Sex Offenders*.

David Matas - Moderator of the **International ECPAT Assembly** following the Third World Congress In Brazil.

Rosalind Prober-

1. Member of the Canadian Steering Committee of the **Global Thematic Consultation on Corporate Social Responsibility**, Winnipeg, Manitoba, September 25-26, 2008
2. Expert Delegate - **Thematic Preparatory Meeting on Combating Sexual Exploitation of Children in Abuse Images and Online**, August 14-15 Bangkok, Thailand

Corporate Social Responsibility (CSR) / Online Child Sexual Exploitation
Excerpt from Letter to Canadian Wireless Telecommunications Association from Beyond Borders

I am writing to inquire as to the progress of your Association in developing a Code of Practice for the self-regulation of new forms of content on mobiles and wireless devices in Canada.

Months ago, one of our associate members, Gordon Keast, contacted your office concerning this matter and was advised that an Ad Hoc committee was working on such a code but it not had yet been developed. Ironically, the association apparently has devised a three-tier classification system for "adult content." but has not yet developed a Code of Practice.

There is a sense of urgency about this matter. At present, minors have unrestricted access to chat-rooms, hardcore pornography and many types of sexually abusive and extremely violent images via Internet-enabled wireless devices in Canada. Yet the technology exists to give parents the option to block or filter many of the sites that produce these images.

The following is from the UK wireless association's Code of Practice which has been in place since 2004:

"Internet content

Mobile operators have no control over the content that is offered on the Internet and are therefore unable to insist that it is classified in accordance with the independent classification framework.

Mobile operators will therefore offer parents and carers the opportunity to apply a filter to the mobile operator's

Internet access service so that the Internet content thus accessible is restricted. The filter will be set at a level that is intended to filter out content approximately equivalent to commercial content with a classification of 18."

In the UK, wireless subscribers are required to prove they are 18 before accessing pornography, gambling and other material on the public Internet. For children with cellphones, the technology now exists to provide on-the-fly blocking of high traffic and well-known pornography sites such as PornoTube and others. This technology could be employed in Canada, but is not.

We believe it is critical that the wireless industry in Canada have a similar Code of Practice for the self-regulation of new forms of content on mobiles and wireless devices.

With respect to the wireless industry, we further believe that because wireless devices in the hands of children are essentially beyond parental or supervisory control, we can and should expect your members to hold themselves accountable to a higher standard than those governing in-home computer devices.

We respectfully ask to be apprised of your progress on a Code of Practice and how the members of your Association are proposing to protect the rights of children and parents as soon as possible.

[Letter sent by Rosalind Prober, President, Beyond Borders to Peter Barnes, President & CEO, Canadian Wireless Telecommunications Association, June 25, 2008]

World Congress III **Against Sexual Exploitation of Children and Adolescents** **November 25-28, 2008, Brazil**

In 1996, ECPAT, UNICEF and the NGO Group for the Convention on the Rights of the Child with the Government of Sweden organized the First World Congress against Commercial Sexual Exploitation of Children (CSEC) in Stockholm. More than 1,900 representatives of governments, NGOs, international and UN agencies, civil society, children and media witnessed the adoption by 121 governments of the Stockholm Declaration and Agenda for Action to combat CSEC.

A Second World Congress on CSEC was organised by the Government of Japan in collaboration with the same partners in Yokohama in December 2001. Three thousand delegates attended. The 161 nations represented there consolidated the worldwide partnership to protect children from sexual exploitation. The outcome document of this Congress, entitled the Yokohama Global Commitment, affirmed the Stockholm Agenda calling on the international community to undertake more far reaching actions towards the eradication of CSEC. These World Congresses catalyzed world attention and action for the protection of children against all forms of commercial sexual exploitation.

Since the Second World Congress this work has grown and increased in strength around the world, with ever more actors involved. Mid-Term Review Meetings organized in Africa and the Middle East, Latin and North America, East Asia and Pacific, South Asia and Europe-CIS in 2004-06 pointed to new milestones and progress in all regions.

The increased knowledge, action and focus on CSEC generated through the Congresses have permitted more concerted efforts worldwide to uphold the right of children to protection from CSE. Many children, government and non-government organisations, academia and the private sector have increasingly played a part in positive changes at the local, national, regional, and international levels to address CSEC. This includes direct work in communities and with children; targeted research; capacity building; and advocacy and facilitation of the development of National Plans of Action to influence public policies for improved protection of children. There has been an increase in

international and national laws to protect children from different forms of commercial sexual exploitation and a range of initiatives for prevention, rehabilitation-recovery and repatriation of children. These responses are noted in the reports by governments and civil society. Several international protocols, conventions, and guidelines have also emerged.

The World Congress III Against Sexual Exploitation of Children and Adolescents is an important next step. It will maintain the global focus on these crimes against children, allowing stakeholders to analyze, refine, re-tool and recommit to actions for the elimination of CSEC. The Congress will be an opportunity to further develop long-term sustained global action.

The World Congress III therefore aims:

- To analyze new challenges and dimensions of contemporary sexual exploitation of children, to identify advances and gaps in legal frameworks
- To share experiences on the implementation of inter-agency policies in fighting sexual exploitation of children
- To develop strategies and measurable goals/targets that can lead to the ending of sexual exploitation of children.

The World Congress III against Sexual Exploitation of Children and Adolescents has five themes:

- 1) Commercial Sexual Exploitation of Children: changing manifestations and mechanisms for meeting the challenges;
- 2) Legal framework and enforcement;
- 3) Inter-sectoral policies and systems approaches to child protection;
- 4) Private Sector initiatives and corporate social responsibility;
- 5) Strategies in regional and international cooperation.



By Louise Pelland

Supreme Court Restores Pedophile Luc X's Sentence

In 2002, the Sûreté du Québec arrested Luc X after a Swiss federal police investigation uncovered an international ring of pedophiles suspected of distributing child pornography on the Internet. In 2005, Luc X was convicted of sexually assaulting his four-year-old daughter, and of producing, distributing and possessing child pornography. At the time of his arrest, his computer contained approximately 5300 child sexual abuse images and 540 pornographic videos that he had distributed online and which involved children, including his 4-year-old daughter and her friend.

Stressing that he had committed the “worst crime... in the worst circumstances” and taking into account the numerous aggravating factors (repeated assaults on a very young child; the parental relationship and his position of authority over her; creation of pornographic images and their distribution over the Internet; his existing criminal record), trial Judge Dominique Wilhelmy imposed the maximum sentence of 10 years for the count of sexual assault and 5 years for possessing, making and distributing child pornography. A total sentence of 15 years. She also found him to be a repeat offender and ordered that he be supervised in the community for a period of 10 years after having served his prison sentence.

Luc X appealed the sentence. On May 30, 2006, the Quebec Court of Appeal, found that certain facts, such as that of penetration, had not been proven and that a maximum sentence was unwarranted. In Côté J.A.'s view, the father had used no violence. Considering this was not the “worst crime committed in the worst circumstances”, she reduced the sentence for sexual assault to 6 years and the other counts to 3 years. The total sentence was reduced from 15 to 9 years.

On May 29, 2008, the Supreme Court of Canada restored the initial prison sentence of 15 years and rebuked the Court of Appeal for not having shown the original sentence “to be clearly unreasonable” and for substituting “its own assessment for that of the trier of fact”. It found that “the Court of Appeal misinterpreted the principles applicable to maximum sentences”. The Supreme Court stated that “the maximum sentence is not reserved for the worst crime committed” since one can always imagine a worse scenario. Rather, it should be applied according to individual circumstances. “The acts of the accused were highly reprehensible, and the evidence convinced the judge that they were sufficiently serious, and the accused sufficiently blameworthy, to warrant the maximum sentence.”

The Supreme Court also stated that the objective of a prison sentence is punishment, while the supervision of an offender is to prevent him from reoffending and to ensure public safety. It found that “the trial judge correctly applied the objectives and principles relating to the two types of decisions”.

We applaud the Supreme Court's decision. Let's hope that this decision will be decisive in preventing unduly lenient sentences in all cases of child sexual exploitation. Sentences should be harsh enough to discourage all sexual delinquents from committing such crimes. Perhaps this will incite the Court of Appeal to reexamine its decision and that the Supreme Court's admonitions will impact further decisions.

Québec Teacher Arrested in USA

Last May, Virginia police arrested Richard Doucet, a teacher at Selwyn House, a prestigious private school in Westmount, Québec. Falling into a trap set by a detective Chapman posing as a 13-year-old boy, Doucet solicited sex and sent him child abuse images through an Internet chat room. Later, Doucet asked to meet him after a teachers' convention he was attending in Atlanta. Doucet was arrested in Fredricksburg, Va., and charged with using an electronic device to solicit sex from a minor, taking indecent liberties with a child, and two counts of distributing child pornography.

Charged by the American justice system, the Canadian teacher is now facing 115 new counts of possessing child pornography and 115 new counts of reproducing child pornography. He is being held without bail until trial. In Virginia, the mandatory minimum sentence for distributing child pornography is a five-year prison term (in Canada it is one year). If convicted on all counts, Doucet could face more than a thousand years behind bars.

“Down here in Virginia, they take it very seriously,” Det. Chapman told The Canadian Press. “Virginians are conservative people and they want to protect their kids. It's all about putting these guys away.”

When will our Canadian children be deserving of the same justice? A sexual predator roaming freely within the school system is every parent's nightmare. When it involves a teacher, “a highly respected and charismatic model for students”, the victims are not only the children who were sexually abused; all of the children at the school are traumatized as they feel that their confidence has been betrayed. Don't we teach our children to seek out and confide in their teachers when they have a problem?

Cybertip.ca – Reporting Makes a Difference

Cybertip.ca is Canada's tipline for reporting the online sexual exploitation of children: child abuse images, online luring, child exploitation through prostitution and traveling to sexually exploit children. Reports are submitted via the Report Form on Cybertip.ca's website – reports are then reviewed by analysts, and those deemed to contain illegal content are forwarded to law enforcement.

Since its national launch in 2005, Cybertip.ca has made great strides in the fight against child sexual exploitation on the Internet. As of June 2008, at least 38 arrests have been attributable to information forwarded to law enforcement by Cybertip.ca, and nearly 3,000 websites have been removed from the Internet.

Cybertip.ca also chairs the Canadian Coalition Against Internet Child Exploitation (CCAICE), a voluntary group of partners that includes Internet and non-profit organizations (including Beyond Borders), law enforcement, and government representatives. CCAICE works to reduce child sexual exploitation on the Internet; the coalition's work has resulted in the reduction of Canadian Internet users' exposure to child pornography spam, and public awareness campaigns have helped educate Canadians about Cybertip.ca and the online sexual exploitation of children.

In 2006, CCAICE announced Cleanfeed Canada, a voluntary initiative to aid in the battle against online child sexual abuse similar to that established in the United

Kingdom in 2004. Cybertip.ca created and maintains a regularly updated list of foreign-hosted Internet addresses (URLs) associated with images of child sexual abuse and provides that list in a secure manner to participating ISPs. The ISPs then block the URLs, limiting public exposure to the illegal images. As of March 31, 2008, Cleanfeed Canada has processed nearly 10,000 URLs.

One year following the Cleanfeed announcement, the province of Manitoba (where Cybertip.ca and the Canadian Centre for Child Protection are located) proposed an amendment to the province's Child and Family Services Act stating that anything believed to be child pornography must be reported to Cybertip.ca. Similar legislation was introduced in the Ontario legislature in March 2008.

Another initiative Cybertip.ca is working towards involves the National Center for Missing and Exploited Children (NCMEC) in the United States and the establishment of a Financial Coalition Against Child Pornography (FCACP) in Canada. The goal is to eradicate the commercial child pornography trade by working with financial companies to prevent payment of this type of illegal material.

Cybertip.ca will be launching the Respect Yourself portal for teens (www.cybertip.ca/respectyourself) this fall; the portal focuses on the potentially harmful repercussions of posting or sending photos, videos and personal information online. Using real-life stories and reports submitted to the tipline, the Respect Yourself website paints a clear picture of the dangers teens face online.

Beyond Borders Inc.

www.beyondborders.org

387 Broadway, Winnipeg, MB R3C 0V5 Tel: (204) 284-6862 Fax: (204) 452-1333

Charitable Tax Status # 881521819 RR0001

President: Rosalind Prober rprober@beyondborders.org

Code of Conduct: Susan Chicoine schicoine@beyondborders.org

Media Awards Chair: Deborah Zanke dzanke@gmail.com

Media Awards Fundraising Chair: Barbara Barnett-Fontaine barbarabob@mts.net

Legal Team / Media Spokespersons

Norman Boudreau B.ED. LL.B. Tel: (204) 771-2577 (Cell) nboudreau@boothdennehy.com

David Matas LL.M. Tel: (204) 944-1831 dmatas@mts.net

Mark Hecht B.A., D.I.A., LL.B. Tel: (613) 220-6362 (Cell) mhecht@uottawa.ca

Simon Buck LL.B. Tel: (604) 839-1914 (Cell) sbuck@wbbslaw.com

Dagmar Dlab LL.B. Tel: (604) 836-4415 ddlab@greyell.com

Corey Martell B.ED. LL.B. Tel: (780) 919-0500 (Cell) cmartell@beyondborders.org

Jonathan Rosenthal LL.B. Tel: (416) 605-3255 (Cell) jrosenthal@bondlaw.net

David Thompson J.D. Tel: (416) 820-1274 (Cell) david.thompson@utoronto.ca

Editor: Carole Rogers crogers@beyondborders.org

Accountant: Earl Gliner Corporate Lawyer: Raymond Oakes LL.B.

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Beyond Borders 2008 *Media Awards Nominees*



Print Category (English)

Robert Matas: Series on Polygamy
Published: Globe and Mail, beginning May 3, 2008

Daphne Bramham: "Time to do something about Bountiful" Published: Vancouver Sun, May 8, 2008

Mindelle Jacobs: "A cure for the lure of sex"
Published: Edmonton Sun, July 2, 2008

Michael Friscolanti: "A national embarrassment" Published: Maclean's, January 14, 2008

Tu Thanh Hà: "School knew of abuse 20 years before acting, documents allege", "I don't want to live with the memory of this all my life" Published: Globe and Mail, August 7 & 23, 2008

Barbara Kay: "Forgetting the male victims of child abuse" Published: National Post, September 26, 2007

Lianne George, Monique Polak, Kate Lunau, Charlie Gillis, Colin Campbell: "Looks who's watching porn" and "Shouldn't we be fighting back?", Macleans Magazine, June 30, 2008

Simona Siad, Surya Bhattacharya: "Beyond the Shame", Toronto Star, September 6, 2007

Print Category (French)

Stéphane Alarie et Gabrielle Duchaine: Vos Enfants Traqués en Ligne Published: Le Journal de Montréal, September 17-21, 2007

Electronic Category (French)

Raymonde Provencher: "Le déshonneur des Casques bleus" Aired: Radio Canada/RDI and CBC, November 28, 2007

Sophie Bissonnette: Sexy Inc. Nos Enfants sous influence, National Film Board

Michel Jean: "Tourisme sexuel en Thaïlande", Groupe TVA, March 24-26, 2008

Electronic Category (English)

Erica Johnson: "Baby Rescue" Aired: CBC Radio (The Current), April 1, 2008

Julian Sher/Joe Media Group: "Hunting the Predators" Aired: CBC Newsworld (Doc Zone), November 15, 2007

Hana Gartner: "Teacher's Pet" Aired: CBC (The Fifth Estate), January 9, 2008

Melanie Wood: "School of Secrets" Aired: CBC Newsworld (The Lens), October 30, 2007

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