

From: Jeanne Sarson XXXXXXXXXXXXXXXX
Sent: July 27, 2009 7:07 AM
To: infostats@statcan.ca

Subject: Violence against women/children

I am researching how Canada identifies the crime of non-state actor torture (NSAT) that occurs in the 'domestic' or private sphere and how NSAT is distinguished from other forms of violence against women/children such as physical or sexual abuse/assault.

Thank you,
Jeanne Sarson,

----- Original Message -----

From: infostats@statcan.gc.ca
To: XXXXXXXXXXXXXXXX
Sent: Monday, July 27, 2009 3:58 PM
Subject: RE: Violence against women/children

Hello,

Thank you for contacting Statistics Canada.

In regard to your request on non-state actor torture , we have contacted the division that oversees this subject matter and they have provided the following information:

"The crime of "non-state actor torture" is not identified in the Criminal Code of Canada. As such, statistics related to this type of crime are not collected. Any questions on this topic should be directed to Justice Canada. we are also including the Criminal Code section here for you to see.

Basically there are two types of torture: State actor torture (SAT) and non-state actor torture (NSAT) State Actor Torture happens during a time of war or when someone is acting on behalf of the government (can also extend to police officers) and this is covered under the Geneva Convention about what we are allowed and not allowed to do to prisoners.

If How ever the state is not involved, it is just regular torture between two individuals and called non-state actor torture. This is usually charged instead as assault (level 2 or 3) with intent, and the torture element often comes out at the trial stage (re: motive) and believe it or not there are all kinds of implications and exceptions for S&M (re: consent to torture)".

Furthermore, to obtain the coordinates of Justice Canada, you may wish to visit the Government of Canada's website at www.canada.gc.ca or call the Canada Enquiry Centre at 1-800-O-Canada (1-800-622-6232).

If you have any other questions, do not hesitate to contact us at infostats@statcan.ca or at 1 800 263 1136.

Regards,

Patrick Thibeault
Data Dissemination Officer | Agent de diffusion des données
National Contact Centre | Centre de contact national
R.H. Coats Building | Immeuble R.-H.-Coats / Floor | Étage 1 W/O
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To: <infostats@statcan.gc.ca>  
Cc: "Linda MacDonald" <flight@ns.sympatico.ca>  
Subject: Re: Violence against women/children  
Date: October 1, 2009 11:21 AM  
RE: Violence against women/children

Hello Patrick,

I sent the email below in August as you know but haven't heard back so I am wondering if a response is forthcoming?

Thank you,  
Jeanne Sarson

----- Original Message -----  
From: Jeanne Sarson  
To: infostats@statcan.gc.ca  
Cc: Linda MacDonald  
Sent: Tuesday, August 25, 2009 2:35 PM  
Subject: Re: Violence against women/children

Hello Patrick,

And thank you for your response, it was appreciated.

My colleague Linda MacDonald and I have been involved at many levels in the reality that non-state actor torture (NSAT) exists in Canada as well as in many other industrialized countries. Since 1993 we

have been involved in research, had articles published, given presentations at the United Nations as well as providing grassroots support to victims of NSAT. Attempting to understand the legal discrimination that presently exists re victims inability to name the torture inflicted on them as a specific crime distinct from other forms of criminal acts and how NSAT remains invisible is important to us. We again appreciate your offer to provide us with additional information.

Is our understanding correct that in the Family Violence in Canada: A Statistical Profile publications that information is limited because it comes from selected police services? Or is such data now nationally covered?

Also in these yearly family violence stat releases we do not see that pedophilic and/or spousal sexualized human trafficking, transportation or exploitation are listed. We are wondering why considering that facts about pedophilic pornography indicate, for example, that:

1. Much pornography is inter-familial and homemade pornography is one source of the pornography seized by police.[1]
2. Infants are victims as police have seized pedophilic pornography showing the victimization of a baby with its umbilical cord still attached, infants covered with ejaculate, toddlers being orally raped[2], infants in diapers being victimized,[3] and a six-month-old baby being raped[4] and
3. 90% of pedophilic crime scene pornography recovered by the Sex Crimes Unit of the Toronto Police is made in Canada and other 'first-world' countries.[5]

And further to the reality of NSAT and pedophilic pornographic crimes torture and bondage is involved in 20% of the pedophilic crime scene pornography viewed by the Royal Canadian Mounted Police (RCMP) Child Exploitation Unit in Ottawa according to supervisor Earla-Kim McColl.[6]

And as to the issues of 'S and M' or sexualized sadism there needs to be a recognition that sadism is not limited to only 'consenting' adults. When the sadists is a parent or other caregiver who is only 'interested in pedophilic sadism then the sadism or 'S and M pleasures' are inflicted onto children. This reality is indicated in the following media statement that states children as young as three are being forced into acts of bondage and bestiality.[7]

And since human-animal violence such as bestiality is a criminal act and a dehumanizing atrocity that some children are forced into or as infants are so horrifically violated we ask why human-animal cruelty is not included in the family violence stats. Not only from a sexualized torture perspective but also there is sufficient knowledge to note that violence or the threat thereof against animals (pets) is a common tactic of perpetrators. It is used against spouses and against children and can lead to a victimized spouse staying in a violent situation in order to try and prevent harm occurring to household pets and attempting to prevent children's exposure to such cruelty and the grief that occurs when their pet is harmed or killed or they are forced to harm or kill their own pet or made to feel and think that it is their fault that their pet was harmed or killed. This latter situation is a common reality.

Additionally, since stalking consists of repeated acts carried out over a period of time that causes a victimized person to reasonably fear for their safety or the safety of others known to them (s. 264 of the Criminal Code) we note that there are no stats recorded identifying that young school-aged children are considered to be stalked. In our experience we note that a common theme of violent parent(s) or other

caregiver(s) is that a parent(s) will volunteer at the child's school therefore the parent(s) will be present during break times, such as in-school lunch time, which reminds the girl child she is being watched - stalked or harassed. This is but one example, others include violent parent(s) et. al. volunteering at extra-curricular activities, a like-minded perpetrator-neighbor sent to watch her basketball game and then report negatively and untruthfully on her behavior giving the adults 'reason' to inflict their violence and satisfy their violent 'pleasures'. Such stalking places young children in a no-win situation - that she will be "punished" - raped, beaten, burned, or locked in a confined space, for example, because of a concocted excuse that she is never good enough.

NSAT and these other forms of violence that occurs within families are significant gaps when reporting on the degrees of violence that can occur in families and/or with extended caregivers. Are there reasons for such gaps? If so, we wonder what they are and how these gaps can be corrected? Making reality visible is the only way we as Canadians work towards making Canada a safer country and making homes a less dangerous place in which to be born and to live.

Thank you for offering to provide us with further important information. We anticipate your responses.

Sincerely,

Jeanne Sarson  
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[1] Gooderham, M. & Laghi, B. (1996, December 14). Tracking high-tech pedophiles. The Globe and Mail; Lamberti, R. (2002, December 17). Teen facing kiddie porn charges Toronto cops make use of new law. Toronto Sun.

[2] Dimanno, R. (2003, January 17). A tough child porn law doesn't stem a rising tide. The Star.

[3] The Canadian Press. (1966, December 11). Porn included kids in diapers. Scientist charged after police raid Defence Department. The Chronicle-Herald.

[4] Smith, G. (2003, January 17). Grim images haunt porn police. The Globe and Mail.

[5] Lamberti, R. (2002, December 17). Teen facing kiddie porn charges Toronto cops make use of new law. Toronto Sun.

[6] CTV News. (2006, July 26).

[7] McIntyre, M. (2007, June 21). Court mulls jail time for online child abusers. Winnipeg Free Press [Online]. Available: <http://www.winnipegfreepress.com/local/story/3992599p-4607997c.html>

**Post Script:** We have never received another response as of November 9, 2009..