

## **President's Report to the Board Annual General Meeting December 7, 2009**

Beyond Borders is a national, bilingual organization whose success depends on the passion, devotion and commitment of its pan-Canadian volunteers, legal team, youth as well as those it contracts with to provide support services.

We undertook many initiatives in 2009 for sexually exploited children. A surge in the level of our activism and initiatives is due to an expanded legal team, enlarged board and media awards committee and work in Quebec and with the Francophone community carried out by Louise Pelland.

We've also initiated significant growth in internal development, grass roots awareness raising in both official languages and legal action to prevent child sexual abuse in order to capitalize on the Stop Sex Trafficking of Children and Young People Campaign with our new national and ECPAT international partner, The Body Shop.

Following are the highlights from the past year:

### **THE BODY SHOP CAMPAIGN**

In 2006, The Body Shop's founder, Anita Roddick, visited Canada and during that visit, Beyond Borders approached her for help with addressing the issue of child sexual exploitation. It was her vision that led to the creation of the Stop Sex Trafficking of Children and Young People campaign. Sadly, she passed away prior to its launch. She did not live to see the amazing collaboration between ECPAT international, and its global groups, and her company in the 65 countries around the world where there are Body Shop stores.

On August 3 in Toronto, Rosalind Prober along with Nicole Merrick helped The Body Shop launch the campaign in Canada. The campaign involves the sale of a specially designed hand cream with \$5.50 of each sale going to Beyond Borders. The Body Shop has also created a campaign webpage and webisode to raise awareness of the issue.

Beyond Borders intends to use the funds raised from the campaign to build organizational capacity to eliminate child sex trafficking. The funds will also support our work in two ways.

First, through advocacy programs including Supreme Court of Canada and other legal challenges, judicial reform initiatives, case monitoring activity, educational presentations and projects, we will advance our ultimate goal of preventing child sex trafficking through deterrence and awareness raising.

Second, we will undertake research to identify shelters and other support services in areas where they are most needed in order to create projects that will enhance their work. The needs analysis and mapping will occur during year one, while the projects will be in development in year two.



Since the launch, Beyond Borders members have given training on the issue of child sex trafficking in Calgary, Edmonton, Toronto, Ottawa, Halifax and St. John's. Beyond Borders members from across Canada are visiting the shops and promoting the campaign as well. Beyond Borders co-founder Mark Hecht is writing the Canadian Report Card on Child Sex Trafficking which will be part of the 2010 International ECPAT/ The Body Shop Global Report Card Project. Fund development specialist, Kevin Hunter (The Gravity Group), has been engaged on contract to ensure that all Body Shop funds going to victims of child sex trafficking are distributed following a rigorous review.

### **NEW LOOK FOR BEYOND BORDERS**

In order to take advantage of the tremendous number of Canadians being introduced via The Body Shop to the issue of child sex trafficking and the work of Beyond Borders, we redesigned our website, logo and all advocacy materials under the direction of Deborah Zanke (Message Communications) who we have engaged on contract.

Beyond Borders presence on the Web has become more interactive and includes the following:

- Access to the newsletter via online subscription
- Homepage news updates on our activism
- Facebook and Twitter profiles to engage followers in two-way conversations and provide options for staying abreast of Beyond Borders activities.

Volunteers, Carole and Jim Rogers continue to maintain the website and create the newsletter with support from Louise Pelland. Volunteers Geneviève Proulx (French) and Jennifer Clark (English) maintain the Facebook fan pages under the direction of Deborah Zanke.

### **INSURANCE**

Beyond Borders has extended its directors and liability insurance until December 17, 2010.

### **NEW LEGAL COUNSEL**

Beyond Borders added two new volunteer lawyers to its legal team in 2009. Nicole Merrick joined from Winnipeg and co-launched The Body Shop Campaign and Laura-Lee L. Labrecque from Calgary joined us in November.

### **LEGAL INTERVENTION**

The Beyond Borders legal team intervened in R v. Legare at the Supreme Court of Canada. The case involved the issue of grooming or using the Internet to facilitate sexual crimes against children with respect to Internet luring charges.

Beyond Borders supported the Crown's position that when having sexual communications over the Internet with a child, the only proof of luring required is that the adult's purpose was to facilitate an offence. The Crown should not have to prove that the offender also had the foresight or even ability to commit the offence to be found guilty of Internet luring. The Supreme Court dismissed Legare's appeal. Following the decision, our media team was featured in every national news television broadcast and newspaper explaining this new landmark decision in child rights law.

Legal counsel David Matas, who received the Order of Canada in 2009, is presently preparing an application letter to add Beyond Borders to the intervenors in the matter of the constitutionality of S. 293 (polygamy) in the Criminal Code of Canada which will be heard in the Supreme Court of British Columbia.

Beyond Borders has been invited to give expert testimony in the case of R v Klassen (child sex tourism) presently in the courts in British Columbia.

## **CASE MONITORING/VICTIM SUPPORT/MEDIA INTERVENTION**

Beyond Borders is the Canadian “go-to” NGO for media commentary and awareness raising when new issues are in the news. The legal team and the positions put forward by Beyond Borders are widely respected as we do not put our advocacy through any other lens than the child rights perspective.

Beyond Borders also monitors cases involving child sexual exploitation as a result of being contacted by victims, other NGOs, Crown attorneys or media.

## **SPEAKING ENGAGEMENTS/MEDIA CONFERENCES**

Beyond Borders lawyers and its president were invited to speak at media conferences for comment on new legislation involving the Sex Offender Registry and ISPs.

We also received many invitations to give keynote addresses and training on our issues in Barbados, Bangkok, Newfoundland, Ontario, and several in Winnipeg. Beyond Borders was also invited once again to appear before the Senate Human Rights Committee.

## **MEDIA AWARDS**

2009 saw an expanded media awards committee with the addition of several youth members. A new co-chair, Bev Wiebe, also joined the committee. The awards moved from being a small, free event in a local theatre to a large, sold out event in a hotel ballroom with local entertainment, video presentations and a featured guest speaker. We also increased the number of awards with the addition of a student journalism category.

The Winnipeg Foundation increased its financial support this year and new donors and sponsors contributed to the event. The awards also expanded the diversity of its audience and included law enforcement, MPs, MLAs, defence counsel, child welfare organizations and those working with offenders.

## **ECPAT CANADA/CYBERTIP/CANADIAN CENTRE FOR CHILD PROTECTION**

Beyond Borders continues to represent ECPAT in Canada with Rosalind Prober as a member of its board (term ending 2011). Beyond Border is an active partner in all global initiatives and works closely with our ECPAT groups in 75 countries around the world.

As a founding member of the cybertip.ca committee, Beyond Borders continues to be an advisory member. We also have membership with C-CAISE (Canadian Coalition Against Internet Sexual Exploitation).

Beyond Borders continues to partner with NGOS across Canada dealing with child sex trafficking, Internet safety, polygamy, and child sex tourism.

## **THE CODE**

Beyond Borders continues to be the Canadian representative of the Code of Conduct For the Protection of Children From Sexual Exploitation in Travel and Tourism ([www.thecode.org](http://www.thecode.org)). Beyond Borders continues to work with the two Canadian signatories of the code—Incursion Voyages and ACTA, the Association of Canadian Travel Agents. New volunteers in Montreal are working with airline shareholders and corporate responsibility groups who are moving to have the airline industry in Canada take action against child sex tourism.

## **YOUTH MOVEMENT**

Youth chair, Jade Harper, has embarked on creating a network that will empower youth to work towards stopping all forms of child sex trafficking.

## **CANADIAN MUSEUM OF HUMAN RIGHTS**

Beyond Borders board member, David Matas, continues to sit on the museum's content committee to determine the issues it will feature. Beyond Borders has been invited to appear before a public content issues panel to be held in late January.

## **NEW LEGISLATION**

Beyond Borders is working to get the following bills involving child protection, including from child sex traffickers and child sex tourists, made into legislation:

### **Mandatory Reporting of Child Pornography by Persons who Provide Internet Service (Bill C-58)**

Status: Announced November

The proposed act would apply to suppliers of Internet services to the public, e.g. Internet access, electronic mail, content hosting and social networking sites. It would require them to:

- Report, to a designated agency, tips they receive regarding websites where child pornography may be available to the public
- Notify police and safeguard evidence if they believe that a child pornography offence has been committed using an Internet service that they provide.

### **Child Trafficking (Bill C-268)**

Status: Second reading in the senate

This bill provides mandatory minimum sentence of 5 years for all child traffickers.

### **Credit for Time Served (BILL C-25)**

Status: Passed (Received royal assent on October 23)

Courts will no longer be able to give 2-for-1 or 3-for-1 credit for time served when sentencing criminals.

The new rule will be 1-to-1 to a maximum of 1.5-to-1 in exceptional cases, and in such cases, the courts will have to justify the exception.

This would prevent situations such as the one involving Michael Lennox Mark who received less than a week in jail after being convicted of trafficking a minor for sexual exploitation. In his case, the judge gave a 2-for1 credit for his 1 year served during the trial towards his two-year sentence.

### **Protecting victims from sex offenders (Bill C-34)**

Status: Referred to the Standing Committee on Justice and Human Rights

The bill amends the Criminal Code, the Sex Offender Information Registration Act, the National Defence Act and the International Transfer of Offenders Act, and consequentially amends the Criminal Records Act.

To better protect the public, it aims to strengthen the National Sex Offender Registry and the National DNA Data Bank (NDDDB) by enabling police services to improve crime prevention and more effectively investigate crimes of a sexual nature. The changes made to the national registry also apply to the military justice system.

Briefly, under Bill C-34, when persons are found guilty of a sexual offence, they are automatically registered in the national registry and samples of their DNA are taken for forensic analysis. All sex offenders convicted outside Canada will henceforth be required to register when they arrive in the country, and Canadian police authorities will be able to alert other police services to the movements of sex offenders who are considered high-risk.

### **Ending Conditional Sentences for Property and Other Serious Crimes (Bill C-42)**

Status: Referred to the Standing Committee on Justice and Human Rights

As a result of this Bill, conditional sentences will no longer be available for offences such as: street racing causing bodily harm, trafficking in persons, criminal negligence causing bodily harm, criminal negligence causing death, forgery of a passport, incest, perjury, arson, counselling/aiding suicide, air gun/pistol causing bodily harm.

### **Corrections and Conditional Release Bill (Bill C-43)**

Status: Referred to the Standing Committee on Justice and Human Rights

This enactment amends the Corrections and Conditional Release Act to:

(a) clarify that the protection of society is the paramount consideration for the Correctional Service of Canada in the corrections process and for the National Parole Board and the provincial parole boards in the determination of all cases;

(b) provide that a correctional plan is to include the level of intervention by the Service in respect of the offender's needs and the objectives for the offender's behaviour, their participation in programs and the meeting of their court-ordered obligations;

(c) expand the range of disciplinary offences to include intimidation, false claims and throwing a bodily substance;

(d) establish the right of a victim to make a statement at parole hearings;

(e) permit the disclosure to a victim of the name and location of the institution to which the offender is transferred, the reason for a transfer, information about the offender's participation in programs and convictions for serious disciplinary offences and the reason for a temporary absence or a hearing waiver;

(f) provide consistency as to which offenders are excluded from accelerated parole review;

(g) provide for the automatic suspension of the parole or statutory release of offenders who receive a new custodial sentence and require the National Parole Board to review their case within a prescribed period; and

(h) authorize a peace officer to arrest without warrant an offender for a breach of a condition of their conditional release.

### **MAN TO MAN CAMPAIGN**

Beyond Borders launched the first phase of a groundbreaking online campaign on the issue of demand for sex with children, asking men to speak out against child sexual exploitation.

We hope to mobilize men who have no tolerance with the small percentage of their gender responsible for more than 90% of sexual crimes against children both in Canada and abroad.

The campaign features several high-profile Canadian men making statements to other men about the need to take action on the issue. Our campaign leaders and role models are Corner Gas actor, Lorne Cardinal, NFL athlete, Israel Idonije, journalist/author, Victor Malarek, actor/director, Jason Priestley, Little Mosque on the Prairie actor, Manoj Sood and race car driver, Jacques Villeneuve.

The campaign also outlines the role offenders, or those at risk to offend, play in reducing demand. The campaign webpage lists myths and facts regarding demand as well as steps those at risk of offending can take to avoid harming a child.