

**A BRIEF IN RESPONSE TO MOTION M-47:**

Examining the public health effects of the ease of access and viewing of online violent and degrading sexually explicit material on children, women and men.

**VICTIMIZING EFFECTS ON THOSE FORCEDLY  
PORNOGROFIED AND HARMED FROM THE OTHER SIDE OF  
THE CAMERA BY FAMILY BASED EXPLOITERS**

**Submitted to:**

**THE STANDING COMMITTEE ON HEALTH**

**By**

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## **VICTIMIZING EFFECTS ON THOSE FORCEDLY PORNOGRAPHIED AND HARMED FROM THE OTHER SIDE OF THE CAMERA BY FAMILY BASED EXPLOITERS**

**Jeanne Sarson and Linda MacDonald**

**PREFACE:** This brief is based on 25 years as feminists working with women who were as children born to organized family based perpetrators who inflicted multi-forms of victimizations on them beginning in infancy or soon thereafter. The women's victimization included exploitations of non-State torture including pornographic violations which were repetitive, for some lasting well into their adulthood. We submit this information not from a place of 'scientific study' but from a place of providing grass root support staying present as women attempt to recover from the severe pain and suffering caused by these many forms of victimizations including the spiritual dehumanization that destroys their sense of realizing they are human beings, that destroys their sense of having a physical body, or that they even have skin. These consequences are what are meant by words that describe a perpetrator's actions that inflict dehumanization, degradation, and brutalities so severe that the person loses their sense of being a human being. Women have tried to tell for decades but were never believed, told they were lying, or they were "crazy"; this is no longer possible given the evidence that internet technology has facilitated—the positive outcome is that the evidence validates the creditability of the women's disclosures. Our support of women has been national and international, just as pornographic exploitation is national and international. We will briefly list our points asking that the pornographic harms that involve non-State torture suffered by those behind the victimization side of the camera are acknowledged in the Committee's report.

### **CONSIDERATIONS AND RECOMMENDATIONS**

1. The World Health Organization (WHO) writes that public health is, "the art and science of preventing disease, prolonging life and promoting health through the organized efforts of society" (Acheson, 1988; WHO)," and is concerned with protecting the health of all populations.<sup>1</sup> Public health is moving towards people-centred health systems as an innovative approach for better health outcomes.<sup>2</sup>

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<sup>1</sup> WHO. (n.d.). *Public health services*. Retrieved from <http://www.euro.who.int/en/health-topics/Health-systems/public-health-services/public-health-services>

<sup>2</sup> WHO. (2013). *Towards people-centred health systems as an innovative approach for better health outcomes*. Retrieved from [http://www.euro.who.int/\\_data/assets/pdf\\_file/0006/186756/Towards-people-centred-health-systems-an-innovative-approach-for-better-health-outcomes.pdf](http://www.euro.who.int/_data/assets/pdf_file/0006/186756/Towards-people-centred-health-systems-an-innovative-approach-for-better-health-outcomes.pdf)

**Recommendation:** The Committee's report takes a people-centred public health approach and addresses both sides of the camera victimizations.

2. Our experiences are of the women born into family systems that inflict the multi-victimizations of sexualized non-State torture and pornographic exploitations of child-to-child and child-adult violations. The suffering we have repeatedly heard voiced by women harmed within the context of these family systems can include many, all, or more than the following listed:

- migraines
- irritable bowel syndrome
- eating disorders
- fibromyalgia pain, chronic body pain and fatigue
- loss of Self-esteem, lack of knowledge about personal and safe boundaries, lacking awareness of their right and ability to speak out
- experiences of social exclusion
- Self-cutting
- struggling to stop Self-harming urges that are the result of only understanding they exist if being hurt, as one woman called it only knowing "torture touch"
- high risks behaviours with involvement in prostitution because it has been forcedly normalized by the family system
- depressiveness
- loss of quality of life
- suicidal struggles
- sleep disturbances, nightmares, night time sleeplessness commonly associated with the patterns of being violated during night time hours
- high anxiety, panic attacks, hyper-vigilance
- inability to cope with activities of everyday life
- work loss and may or may not have access to disability financial support
- poverty and homelessness
- post traumatic stress responses that include, for example, torture cellular memories that produce physical, emotional, psychological traumas, flashbacks, victimization re-enactments which are misunderstood as diseases consequently mistreated
- running to the street or fleeing our country
- medically misdiagnosed and over drugging, considered "crazy"
- relationship difficulties with Self and others that can lead to chronic re-victimizations

**Recommendation:** The Committee's report takes a people-centred public health approach stating clearly the harms suffered by those exploited into pornographic

victimizations that include torture degradations and dehumanization; these must be properly named as human right violations and distinctly criminalized.

3. WHO writes that health and human rights includes recognizing that the lack of attention or the direct violation of human rights including a failure to protect people from being subjected to torture can result in serious health consequences.<sup>3</sup> A failure to ensure attention is given to upholding human rights equality can even reinforce gender-based discrimination, misopedia, misogyny, sexism, and normalize all forms of sexualized violence including the sexualization of torture perpetrated by non-State actors. It is presently known that women and girls predominately suffer many forms of sexualized violence in pornography, from images of their genitals to torture and even exposure to 'snuff' films or sexualized torture and kill victimizations. Reports of sexualized torture and snuff pornographic forms of human rights crimes were at one time considered false; however, the police in the UK and Europe now have this supply and demand evidence.<sup>4</sup>

**Recommendations:** The Committee's report takes a people-centred public health approach stating clearly that upholding a human-rights based approach is necessary to ensure that the degree of torture victimization that is inflicted in the 'production' of pornography is duly recognized:

- That the pornification of sexualized torture is a violation of human rights,
- There is a need to have law that names and criminalizes torture, including sexualized torture, perpetrated by non-State actors,
- That the sexualized torture that is inflicted, recorded, and sold and bought is frequently homemade including in Canada by parents, family members, their like-minded friends, groups, rings, and individuals,<sup>5</sup>
- That any educational statements on violent, degrading, dehumanizing torture-based pornography includes the statement that Canada has due diligence national and international responsibilities to identify these as violations of human rights and must uphold the following:

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<sup>3</sup> WHO. (2017). Health and human rights. *Media Centre*. Retrieved from <http://www.who.int/mediacentre/factsheets/fs323/en/>

<sup>4</sup> Burke, J., Gentleman, A., and Willan, P. (2000, October 1). British link to 'snuff' videos. *The Guardian*. Retrieved from <https://www.theguardian.com/uk/2000/oct/01/ameiagentleman.philipwillan>

<sup>5</sup> See brief by Jeanne Sarson and Linda MacDonald, "There is no public safety for children when their torture by non-state actors is legally unnamed, invisibilizing them as persons in specific need of protection." Retrieved from <http://nonstatetorture.org/files/6914/7887/9363/Nopublicsafetychildren.pdf>

- The Convention on the Rights of the Child,<sup>6</sup> and the Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography,<sup>7</sup>
- UN Convention against Transnational Organized Crime and its Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially women and children,<sup>8</sup> when rings or criminal groups are involved,
- UN Convention against Torture and Other Cruel, Inhuman or Degrading treatment or Punishment (CAT),<sup>9</sup> paying attention to the UN Committee against Torture General Comment No. 2 that speaks about forms of gender based violence that manifest as torture by non-State actors,<sup>10</sup> and their General Comment No. 3 that speaks to the reality that family members can be torturers,<sup>11</sup>
- In reference to “child pornography” section 163 of the *Criminal Code*, requires acknowledging that such violence can and does begin from birth thus the language of “sexual activity” in this section is wrong. If as Canadians we want to change attitudes then we must stop using the terminology of “sexual activity” when referring to children. It is not ‘sex,’ it is not “sexual activity,” it is a crime—a sexualized crime—a sexual assault—sexualized torture. Using language that is sexualized reinforces violent pornographic images and normalizes sexualized violence including sexualized torture. Thus, fixing the criminal language in Canadian law is an important preventive intervention that assists in addressing and shifting attitudes.

**Concluding**, if further information is required please do contact us at the following:

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<sup>6</sup> UN Convention on the Rights of the Child. Retrieved from

<http://www.ohchr.org/EN/ProfessionalInterest/Pages/CRC.aspx>

<sup>7</sup> UN Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography.

Retrieved from <http://www.ohchr.org/EN/ProfessionalInterest/Pages/OPSCCRC.aspx>

<sup>8</sup> UN Convention against Transnational Organized Crime and its Protocol to Prevent, Suppress and Punish Trafficking in Persons. Retrieved from

[https://www.unodc.org/documents/middleeastandnorthafrica/organised-crime/UNITED\\_NATIONS\\_CONVENTION\\_AGAINST\\_TRANSNATIONAL\\_ORGANIZED\\_CRIME\\_AND\\_THE\\_PROTOCOLS\\_THERETO.pdf](https://www.unodc.org/documents/middleeastandnorthafrica/organised-crime/UNITED_NATIONS_CONVENTION_AGAINST_TRANSNATIONAL_ORGANIZED_CRIME_AND_THE_PROTOCOLS_THERETO.pdf)

<sup>9</sup> UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. Retrieved from <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CAT.aspx>

<sup>10</sup> UN Committee against Torture General Comment No. 2 (2008, January 24), (CAT/C/GC/2).

<sup>11</sup> UN Committee against Torture General Comment No. 3 (December 12, 2012), (CAT/C/GC/3), para. 3.