



Standing Committee on Access to Information, Privacy and Ethics

Presented by Marilyn Evans of Parents Aware
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Parents Aware is a community organization based in Ontario, Canada with the aim to help all parents meet the challenge of raising children and teens in a media-saturated world.

Parents Aware is particularly concerned about the social, emotional, and health risks associated with children's early and repeated exposure to online pornography. We provide information, tools and resources to help parents first, become aware of these risks, and second to develop the necessary communication skills to have open and honest conversations with their children and teens about pornography, sex and intimacy.

Parents Aware supports the position that pornography is a public health issue.
parentsaware.info

As Founder and Director of Parents Aware, I am pleased to have this opportunity to present my thoughts and recommendations to the Standing Committee on Access to Information, Privacy and Ethics. A thorough review of MindGeek's business practices is timely and important to the health and well-being of our children. Recent investigations by Visa and Mastercard, among others, has revealed what victims, advocates, and porn consumers themselves have known for many years: MindGeek knowingly distributes and profits from non-consensual sexualized images and videos of minors. This content is uploaded and hosted on MindGeek's various pornographic websites including Pornhub.com

The Parent Perspective

It is important for members of the Committee to hear from voices representing parents. Parents are the largest stakeholder in this debate. No previous generation of parents has had to prepare children to navigate a media culture so steeped in hypersexuality and sexual violence—a culture which MindGeek aims to normalize and market as mainstream¹ via their flagship website

¹ <https://awario.com/blog/pornhub-case-study-marketing/>

Pornhub. It is our children who are being exploited daily by MindGeek and its websites. It is our children who suffer the collateral damages of MindGeek's unethical practices.

The Burden of Responsibility

It is often assumed that the burden of responsibility for the health and safety of children—particularly as it relates to online safety—rests solely with parents. However, in this digital age children and teens are expected to have an online presence in order to complete school work, interact with peers, and even communicate with their parents and other adults. Modern methods of communication demand that the internet be an ever-present and integral part of a child's life from a very early age. One in three internet users today is under the age of eighteen.²

The internet has become equivalent in importance to many of our public utilities. We entrust the government with the responsibility to regulate and make our utilities accessible to everyone. Government largely bears out this responsibility well. As best as possible and as technology allows, we can trust that in our homes we have access to safe, drinkable water, or that there is a constant, reliable flow of electricity to power appliances. Thus, it is reasonable at this time in our history as a society to also ask our elected officials to exercise legislative mandate to protect our most vulnerable from the mental, emotional and potentially physical harms that can be associated with pornography.

Corporations such as MindGeek, must be held to account for business practices and actions (or inactions) that allow for the distribution of child sexual abuse material (CSAM) not just to adults who visit their site, but also to minors who may have unwittingly accessed such content.³

Most Engaged Audience Online.

In MindGeek's statement to the Committee it was noted that Pornhub tracks 4 million unique user sessions each day in Canada alone. It was emphasised that this is equivalent to more than 10% of Canada's *adult* population. What they left out of the statement was how many of those users are actually under the age of 18. A survey led by the BBFC in 2019 indicates that 66% of 14 to 15 year olds reported seeing pornography. And that 14 to 16 year old boys were most likely to consume it daily.⁴

Serena Fleite's statement to this committee corroborates that young people can be users and creators of pornography. When Serena recorded an intimate video of herself and sent it to her boyfriend, it was subsequently circulated on Pornhub without her consent or knowledge. Note

² Livingstone, Sonia; Byrne, Jasmina; Carr, John (2016). One in Three: Internet Governance and Children's Rights, *Innocenti Discussion Papers* no. 2016-01, UNICEF Office of Research - Innocenti, Florence
<https://www.unicef-irc.org/publications/795-one-in-three-internet-governance-and-childrens-rights.html>

³ [https://www.jpedhc.org/article/S0891-5245\(19\)30384-0/fulltext](https://www.jpedhc.org/article/S0891-5245(19)30384-0/fulltext)

⁴ <https://www.bbfc.co.uk/about-us/news/children-see-pornography-as-young-as-seven-new-report-finds>

that it was not an adult that informed her of the presence of the video on Pornhub. It was her fellow 7th, 8th, and 9th grade school classmates that alerted her to it's availability.

MindGeek repeatedly refers to themselves as an adult entertainment company. However, in practice, they perpetuate a culture of exploitation among young people. And rather than providing an age-verified platform for adults to share consensual adult entertainment between adults, they are distributing child pornography of minors to other minors—content that is also easily accessible to all non age-verified visitors to their web site.

Health Risks to Young People

Ease of accessibility is the number one reason children are exposed to pornography. Multiple studies indicate that a child's first exposure to pornography is mostly unintentional.⁵ The NSPCC says, "children are *as likely* to see online porn by accident, as they are to deliberately search for it".⁶ In the offline world we go to great lengths to protect children from highly sexualized content. For example, putting adult magazines behind opaque covers, restricting access to films rated 18+. In contrast, MindGeek freely distributes extreme sexualized content (including violent, racist, misogynistic, fetishized, non-consensual sexual acts) to anyone with internet access, regardless of age.

Neurosurgeon Dr. Don Hilton explains that the brain responds to pornography in the same way it would to an illicit drug. Frequent and repeated exposure to pornography reshapes the brain and reinforces new neural pathways. The more an individual views pornography, the more the brain will expect and crave more (often extreme) content over time.⁷ Young people are especially vulnerable to pornography because during adolescence the reward centre is in overdrive while the prefrontal cortex (executive functioning) is still being developed.⁸ Add in a natural and normal curiosity for sexual information, it is no wonder MindGeek has been slow to prevent access to their sites by underage users.

Video: [Dr. Don Hilton explains porn's impact on the brain](#)

Parents Left to Pick Up the Pieces

MindGeek markets itself as a tech company with websites that provide adult entertainment. Meanwhile parents are left to pick up the pieces when their children suffer the collateral damage—not only the victims whose images appear on the site (like Serena) but also all the young people (like Serena's school classmates) who have been conditioned to accept pornography as a normal part of their childhood. Consider the devastating consequences families are dealing with. The following comments are from parents I have personally interviewed as an part of my advocacy:

⁵ [https://www.jpeds.org/article/S0891-5245\(19\)30384-0/fulltext](https://www.jpeds.org/article/S0891-5245(19)30384-0/fulltext)

⁶ <https://www.bbc.com/news/education-32115162>

⁷ <https://www.youtube.com/watch?v=wZinMWGMdqU>

⁸ <https://rewardfoundation.org/brain-basics/adolescent-brain/>

“Our initial solution was to talk it through, lock down the internet for a time, and help our child make plans to do better. We assumed that would be enough. But we weren’t accounting for the cravings pornography had introduced to our son.” —age 12

“I noticed my daughter had been acting anxious and withdrawn over a period of several days. Finally, I was able to get her to open up. She told me she had seen something really bad on the ipad. When I went into the search history I discovered that she had been exposed to sexualized images of children on multiple occasions. I was sick in my heart. No wonder she was terrified!” —age 10

“My dad had a stash of magazines in the house growing up so I thought I was prepared to handle the idea that my son would look at pornography. What I was not prepared for was the nature of the pornography he found. It was so far beyond what I could have imagined. I didn’t have a script for that.” —age 12

“Our son was masturbating up to 7 times a day and had constant thoughts to expose himself. This issue was bigger than anything anyone [police or school guidance] had ever seen before.” —age 13

“Not long after our son had begun using pornography we noticed significant changes in behaviour (violent outbursts). With the help of a therapist, we learned that our son was suffering from OCD. Pornography didn’t create his illness but it was intensified because of it.” —age 13

“I was never shy about talking to my kids about pornography [...] Almost two years ago now, police officers showed up at our door with a search warrant. When the police confronted my son he immediately admitted what he had done. These were images of little girls, babies even—hundreds of them [...] looking back, I can see some patterns of behaviour that might have been a clue he was looking at porn—he spent too much time in the bathroom with his phone. But there was nothing to indicate he was in serious trouble. Certainly, not that he would be downloading child pornography.” —age 16

Recommendations

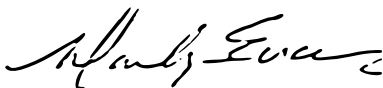
- **Begin a full investigation** into MindGeek’s practices and protocols for reporting (or lack of reporting) of CSAM over the course of their corporate history. Likewise, continue a full investigation into the complaints lodged by individuals whose image or likeness appeared without consent on sites owned by MindGeek.
- **Hold MindGeek criminally responsible** for any and all offences they may have committed with respect to their failure to report CSAM and other indictable offences according to section 162 and 163 of the Criminal Code, most notably the distribution of child pornography and the sharing of non-consensual intimate images.
- **Lead global initiatives to curtail the sharing of CSAM online.** Results and outcomes of the investigation into MindGeek could establish precedent for corporate accountability.

Canada has been presented with the unique opportunity to curb the flow of CSAM which has been left mostly unchecked across all mainstream digital platforms to date.

- **Establish a third-party oversight** for any and all initiatives to monitor content on MindGeek's platforms and websites. MindGeek has shown that it is not willing to self-regulate. Any value placed on MindGeek's proposed commitment to safety must be heavily scrutinized.
- **Enact/update legislation to better protect children in the digital space.** Legislation designed to protect both individual and corporate privacy cannot come at the risk of harm to children. Both the government and corporations share a burden of responsibility to protect children from exploitation online, including CSAM.
- **Appoint an e-safety commissioner or similar** to establish a regulatory board in Canada singularly focused on the health and well-being of children in the digital space. One in three internet users is under the age of eighteen. It is clear that children's vulnerabilities are currently being exploited online. The MindGeek example demonstrates the extent to which this exploitation can occur.
- **Legislate mandatory age-verification protocols on all pornographic websites** to help reduce unwanted and accidental exposure to pornography by children. Another level of age verification is to require internet service providers to filter pornographic websites by default. Consumers would have the option to "opt-in" to restricted content if they wish.
- **Provide funding for research on the harms of pornography.** According to MindGeek, more than 4 million consumers in Canada visit Pornhub on a daily basis. It is therefore imperative that we clearly understand the health impact of pornography on individuals, relationships, and society. Canada should be contributing to a global body of research in this area.

There is much the government can do to support parents and improve the health and safety of children online. Investigating MindGeek and holding them to account for any potential past law violations is a commendable first step. It is my hope that these proceedings will awaken parliamentarians to the need to further address this issue from a legislative perspective. Canada has an opportunity to act as a world leader in the protection of children online.

Respectfully,



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