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The Portrayal of Internet Child Luring by Toronto-based Newspapers 1998-2008**

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**Constructing 'Reality':**

**The Portrayal of Internet Child Luring by Toronto-based Newspapers 1998-2008**

By

Christopher A.P. Greco

Thesis submitted to the Department of Criminology, University of Ottawa, in partial  
fulfillment of the requirements for the degree  
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## **Abstract**

Often simplistic and misleading, the reporting of child sexual abuse has long been a staple of commercial news media's portrayal of crime and criminal justice. A mixed quantitative/qualitative content analysis methodology is applied to the study of three Toronto-based newspaper's construction of Internet Child Luring, between the 1<sup>st</sup> of January, 1998, and August 1<sup>st</sup>, 2008. Erected as a serious problem, above which a sober appraisal of known facts could sustain, a Textual Panic is said to exist within newsprint's rendering of the information-age crime. Rational cogitating offenders, undeterred by weak legislation and underfunded police forces, are described as exploiting the communication medium in attempts to lure defenseless children into illicit sexual activity.

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Takk.

## **Introduction**

“There are few human behaviours that society views as more obscene, despicable, and worthy of public outrage than sex crimes against children.”  
(Holmes & Holmes, 2002, p94)

Ambiguous and based on the shifting human construct of morality, child abuse encompasses a vast array of conduct which, specific to time and place, has been construed as illicit. Originally conceded in an 1825 New York statute, obligating the state to intervene in the protection of those unable to care for themselves, the criminalization of child abuse within North America was firstly a means of preventative penology, not child protection. The expansion of the Aristolian principal of ‘*parens patriae*’ to the maltreatment of young persons was in response to concerns that children from financially poor or bedraggled homes would, as adults, endanger polite society by embracing criminogenic lifestyles (Pfohl, 1977). One hundred and forty-five years later, this fear of future offending (Thomson, 2004) and the possible proliferation of homosexuality (Jenkins, 1998) would expand conceptions of child abuse to comprise acts sexual in nature. ‘Discovered’ in 1970 (Adler, 2001; Hacking, 1991), in part due to the 19<sup>th</sup> century ‘child saving’ (Best, 1990) and ‘house-of-refuge’ movements (Pfohl, 1977), child sexual abuse has come to be perceived as the “worst among other evils” (Doyle & Lacombe, 2003, p290), perpetrated by society’s lepers (Dunphy, 2003), pedophiles.

Despite its wide political, social and clinical use, ‘pedophilia’, as a term loosely denoting a sexual attraction to prepubescent children, is not easily defined. Depending on the procedures used to classify the condition (the Diagnostic and Statistical Manual of Mental Disorders, Screening Scale for Paedophilic Interest, etcetera), positive diagnostic

results vary significantly (Kingston, Firestone, Moulden & Bradford, 2007).

Notwithstanding the above, academic writings and newsprint narrations talk to pedophilia as though it were a distinct entity, often inappropriately equating pedophiles to ‘child molesters’; a term used to describe individuals who have sexually offended against a person under the legal age of consent (Barbaree & Seto, 1997). In light of this occurrence, Tate’s (1990, p1) assertion that there “can be no real understanding of pedophilia without a corresponding grasp of child pornography” is expanded to include sexual offences against under-age persons. Since Tate (1990) himself blends the terminology, child pornography is perceived as indispensable when talking to child sexual abuse (Itzin, 1992), for which Internet luring is its most contemporary manifestation.

Generally defined as visual or textual material depicting, for a sexual purpose, the organs of a person under the age of 18, or a person who appears under that age (Goetz & Lafreniere, 2001), child pornography (CP) is best understood as a culturally specific term lacking global definitional clarity. Even within North America, the age of sexual consent and legal comprehension of material that constitutes CP varies in relation to one’s geographic locality (Adler, 2001; AVERT, 2008; Schell, Martin, Hung & Rueda, 2007), making it difficult to determine global rates of consumption. A distinction made increasingly arduous following the advent of cyber offending.

Apart from a preference in terminology, ‘cybercrime’, ‘high-tech crime’, or ‘information-age crime’, denotes the employment of computer technology in the commission of illicit activity (Brenner, 2007), reflective predominantly of real-world

offending (Jewkes, 2003). In its most simplistic terms, the online sexual exploitation of children is just this, illicit sexual behaviour facilitated via the assistance of computer technology. The unprecedented information revolution of the late 20<sup>th</sup> century (the World Wide Web, 1989; Netscape, 1993) and its longstanding union with sexuality and sexual behaviour (Quayle, 2005) has caused a panic over Internet content and victimization (Littlewood, 2003; Akdeniz, 1997). At no other time in modern history has child pornography purportedly been so available from one locality, one ‘pornographic arcade’ (Quayle & Taylor, 2002). However, increased convenience does not necessarily amplify rates of consumption, which in turn need not augment risks of contact offending.

Though cautioning against the adoption of claims asserting a direct link between the viewing of pornography and forms of physical molestation, Quayle (2005, p129) notes “that exposure to available ‘paraphilic’ material on the Internet *may* in fact result in the emergence of fantasies, feelings and behaviours that would otherwise have remained dormant”. The relevance of this statement lies not in Quayle’s prediction of the possible, or ‘may’, but in his inability to definitively assert that exposure to pornography leads to the commission of contact offending. This inability represents a split in the pornography literature, between those who profess the existence of a causal link (Galbraeth, Berlin & Sawyer, 2002) and those who do not (Corriveau & Fortin, 2009 forthcoming; Middleton, Beech & Mandeville-Norden, 2005; Seto, Maric & Barbaree, 2001).<sup>1</sup> Currently there exists little systematic evidence to validate causal assertions but enough so as to allow for the debates continuation; viewing child pornography may, however unlikely, result in the

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<sup>1</sup> Wortley and Smallbone (2006) state that the viewing of pornography may even have a cathartic effect on viewers, acting as a substitute or outlet of expression as oppose to contact offending.

commission of Internet Child Luring offences. 'Computer nerd' crimes described by a Toronto-based journalist as "one of the most ominous threats to children today."<sup>2</sup>

To some extent, western governments have invested within the above assertion and giving rise to a number of anti-luring legislations throughout both North America and Western Europe. The 2002 passage of Bill C-15A ushered in Canadian Criminal Code amendments mean to address this 'new phenomenon', making "it an offence to communicate via a 'computer system' with a person under a certain age, or a person whom the accused believes to be under a certain age, for the purpose of facilitating the commission of certain sexual offences in relation to children or child abduction." (Goetz & Lafreniere, 2001, p4) While there exists little empirical research and no Canadian based studies depicting ICL offending patters and/or offence characteristics, one may reasonably question why such legislation emerged within Canada in 2001. The principal educator on crime and criminal justice (Graber, 1980), news media has contributed to legislative amendments and public policy alterations in the past (Brown, 2003). This, albeit debatable, ability to influence governing practices through newsroom portrayals of commercial-based storytelling is at the very least intriguing. Captivating enough so as to question how ICL has been construed within newsprint based in Canada's most populated urban center, Toronto.

Expanding on the above, the aim of this study is to analyze the manner in which three Toronto-based newspapers construct Internet Child Luring (ICL) and present

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<sup>2</sup> Mick, H. "High-tech on-line predators a growing threat, police say". Globe & Mail, August 14, 2006: pA11.

empirical evidence to support assertions that the phenomenon is as pervasive, or contained, as claimed. It is believed that the print news will rely predominantly upon police sources to construct ICL as a relatively acute social problem, beyond which a sober appraisal of known facts could sustain. While certain aspects of news media's portrayal are likely to be within pre-research approximations (i.e. victim/offender age and sex as described by U.S. statistical data), exaggerations to the perceived regularity of ICL offending are anticipated. It is also assumed that preventative tactics espoused by the news media will be in contradiction to those endorsed within prevailing literature. By the study's conclusion it is hoped that we will have provided answers as to how Toronto-based newsprint constructs Internet Child Luring? How this construction measures against available research? And what evidence journalists use to support their ICL portrayals?

The inquiry commences with an examination of child sexual offending as construed by news media. This discussion is divided so as to address the importance of studying reality as purported by commercial news as well as what factors (political, social, economical) influence such portrayals. Having discussed the malleability of news constructs, the following chapter talks to the selectivity of deviance and the multiplicity of ways in which social phenomenon may be interpreted. From this constructionist stance, the reader is then led through a discussion of 'social problems', before addressing the known reality of ICL (the offence, its victims, offenders). Based on these 'truths' and following suit with associated research (Courvoiser, 2008; Lerin, 2004), Rational Choice Theory is talked to as a possible explanation for the offence's commission. Building

upon this foundation, primary prevention techniques are then considered as a means of addressing the social problem, prior to a comprehensive description of the study's methodological approach and data analysis.

## **Review of the Literature**

## 2.1 Child Sexual Offending and the Media

### 2.1.1 Why Study the Media

Although it is argued that an outward causal relationship between media representations and the popular conscious is at best vague (Cumberbatch, 1998), there exists an abundance of literary texts purporting that the media, particularly print media (Durham, Elrod & Kinkade, 1995), assists in constructing public perceptions of crime and deviance;<sup>3</sup> at the very least, the media is thought capable of swaying what consumer audiences, lacking first-hand experience, talk to (Turow, 1997) and/or reflect upon (Cohen, 1963). Though widely defended in political theology, this ‘radical functionalists’<sup>4</sup> approach to media-audience relations is not uniformly affixed to all consumer types. Personality (McCombs, 1994), personal experience (Jaehnig, Weaver & Fico, 1981), social location (Gamson, Croteau, Hoynes & Sasson, 1992), age, race, gender, and national identity variations (Kitzinger, 1999) have each been documented as factors affecting media induced changes to individual perception. Even if biologically and socially prone, Allen, Livinstone and Reiner (1998) contend that the mere exposure to alternative reality constructs is not sufficient so as to persuade personal opinion. While “it is obvious that the media does not influence everyone” (Howitt, 1982, p23), the ability to learn from its’ constructions is as undeniable as its role in managing the ‘public agenda’ (Bentivegna, 2002; Critcher, 2002).

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<sup>3</sup> Davis (1952), Miller and Philo (1999) Sheley & Ashkins (1981) Surette (2007, 1989, 1995) Herda-Rapp (2003), Adoni & Mane (1984), Greer (2003), Turow (1997), Lieberman (2000), Barak (1994), Ericson (1995), Chermak (1994), and Davidson, Boyland and Yu (1982).

<sup>4</sup> “[T]he mirror-opposite of liberal functionalism” (Curran, 2002, p137), radical functionalists view the media as an agent of public persuasion.

By assembling selected events in fashions which allow for or force interactive communication between the government and governed (Curran, 2002; McCombs & Shaw, 1972; Weaver, 1984), journalists and their administrative superiors select which social issues are to be defined as 'social problems' (Best, 1995), worthy of political attention. The media, particularly news media, becomes the rostrum upon which institutions and ideologies labour for the right to define, interpret, and construct the 'social reality' (Miller and Holstein, 1993) or social 'culture' (Turow, 1997). As opposed to its debated ability to influence popular consciousness, Curran (2002, p134) describes this 'agenda setting'<sup>5</sup> function as "[t]he main way in which the media are said to 'matter' in liberal analysis".

Communicating segments of information between the electorate and the general public, the news media have become the principal educator on crime and criminal justice (Graber, 1980). Selectively charting political, legal and judicial operations, the media's educationalist role has contributed to legislative amendments and public policy alterations (Cricher, 2002; Doyle & Lacombe, 2003; Petrunik, 2003), predominantly in relation to criminal justice strategies (Surette, 1999, 2007; Doppelt, 1992) and periodically in the form of 'panic legislation'.<sup>6</sup> While the media may, as Klapper (1965) suggests, be extremely limited in its ability to influence the behaviour and judgement of consumer audiences, its role as an educator and facilitator of public debate supports

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<sup>5</sup> The power of the media "to make things visible to the public and thus to make them important" (McNair, 1998, p49).

"The idea of agenda setting involves using the news to influence what the public regards as important for them to think about in society and politics" (Bennett, 2007, p8).

<sup>6</sup> Legislation characterized by "poor conception and drafting, overly broad scope, and inadequate consideration of likely side effects" (Jenkins, 1998, p6).

Garofalo's (1981, p343) contention that "[t]he discipline of criminology will be enhanced by giving serious attention to the content and effects of the mass media".

Apart from deliberating its' personal and/or public influence, the manner in which news media present criminal deviance has attracted a considerable amount of analytical attention (Brown, 2003). Although branded "a staple of journalism...and...a public duty of the press" (Jaehnig, Weaver & Fico, 1981, p88), the reporting of crime news is rarely intended to truthfully or accurately reflect the veracity of criminal transgressions (Sheley & Ashkins, 1981). Instead, such reporting distorts the boundaries of 'information' and 'entertainment' (Brown, 2003), attempting to facilitate one of mass media's most focal functions, the promotion of consumerism (Howitt, 1998).

Whether determined by the public interest or that of news bureau proprietors, 'newsworthiness' (Hall, Critcher, Jefferson, Clarke & Roberts, 1978) refers to the "criteria by which news producers choose which of all known events are to be presented to the public as news events" (Surette, 1992, p56). Ideally unpredictable (Ericson, Baranek & Chan, 1991), whimsical, dramatic (Singer & Endreny, 1993), and yielding negative consequences (Davidson, Boylan & Yu, 1982), news events are meant to both shock and/or entertain consumer audiences (Soothill & Walby, 1991). Thus, themes of violence and sex, particularly adult-child sex (Jenkins, 1998), have come to dominate media portrayals of crime (Howitt, 1998); a topic that even unaccompanied by the above themes, is unmistakably newsworthy (McNair, 1998). Employing a Barlow, Barlow and Chiricos's (1995) retailing philosophy that sensational crime-based stories sell

newspapers, news producers justify their sex crime dependence on monetary grounds. With the exception of war and violent offences, sex-related crimes are the most financially lucrative news events (Benedict, 1992). That is, their portrayal generates wide public interest, respectively increasing consumer populations, advertising appeal, and thus revenue. The by-product of this commercial approach is a concoction of information and entertainment, or 'infotainment' (Franklin, 1997), marketed as objective 'news'. For those interpreting media representations as factual reflections of their external world, this dual information/entertainment emphasis is problematic; since "it is fear that makes for good entertainment" (Altheide, 2002, p59) and crime which best exemplifies fear.

Fearful of the 'wrong things' (Altheide, 2002), North Americans are incessantly concerned with criminal victimization (Garland, 2000) in what is arguably the safest society known to man. While cause for this fear cannot be attributed to an exact source, the news media's employment of fear as a principal discourse (to which risk and danger are included), at the very least, puts the discussion of criminal deviance into the daily information diet of anyone reading, viewing, or listening to the 'news'. The result is the promotion of a sense of mass disorder within a criminally reckless society. While emotionally uncomfortable, the thematic is profitably entertaining (Altheide, 1997, 2002). Incessantly searching for the next phobia, news events become laced with notions of fear (Altheide, 1997, 2002), attempting to profit from the discourse as other industries (i.e. cinema) have. Determined to maximize the entertainment value of their information product, news scripts appear to exaggerate child sexual offending, a form of criminal

deviance which exponentially heightens public anxiety (Warr, 1992), while presenting the issues as a distinct rising risk (Schultz, 2005).

In a world where child sexual abuse “is a mystery of which only the dramatic is allowed to be the key” (Soothill & Walby, 1991, p115), news media portrayals of sexual offenders are typically misleading if not fallacious. While newspaper reports often correctly depict offender gender distributions (Graber, 1980; Cumberbatch & Beardsworth, 1977; Garofalo, 1981), they overstress the threat posed by predatory ‘strangers’, persons unknown to the victims prior to their assault (Websdale, 1999). The exaggeration depicts a shift towards a more menacing, entertaining and consequently profitable representation of child sexual offenders than the circa 1980 newsroom typology of the incestuous parent or fondling relative (Soothill & Walby, 1991). The ‘sex terrorist’ (Itzin, 2001), ‘fiend’ (Schultz, 2005), ‘weird loner’ (Benedict, 1992), or ‘defiler’ (Jenkins, 1998), of modern media is depicted as a visibly identifiable outcast whose attack on child victims is linked to homosexuality (Kitzinger, 2004). Stated austere, “[t]he indication in all the newspapers is that ‘ordinary’ people do not commit sex crimes” (Greer, 2003, p185). While attention-grabbing, this shift in characterization is not substantiated by statistical data.

A customary feature of print content, crime news, with the exception of homicide and white collar crime, is habitually at variance with the reality purported by government statistics (Howitt, 1998; Thomas, 2000). While the discrepancy is noteworthy, it is equally significant to concede that “crime statistics, create not just an incomplete picture

of crime... 'dark figure' of offences...but a systematically biased picture of crime... As such, they tell us more about the organization producing them than the 'reality' they are later taken to describe" (Greer, 2003, p62). Governmental, official, statistics are not reflections of objective reality (Kitsuse & Cicourel, 1963) and even those with strong predictive abilities, 'facts' (Best, 2003a), are by-products of organizational influences (Best, 2003b). However, lacking an explicitly objective information source, state (police and court office) crime statistics are debatably the most accurate indicators of criminal conduct. Taken as fact, the understanding permits media portrayals of illicit activity in contention with government crime statistics (i.e. Uniform Crime Reports, National Victim Crime Surveys) to be construed as inexact or untrue. The resulting impression is that of a news media which overemphasises the pervasiveness of atypical deviance (Surette, 1992, 2007; Meyers, 1997), in its perhaps intentional failure to emulate the reality of crime and criminal offenders (Sheley & Ashkins, 1981). Forced to appease a number of dissimilar, self-interested, audiences (advertisers, public, government, sources, etc.) these distortions are not unexpected.

## 2.1.2 Influences on the News Process

By necessity, journalism<sup>7</sup> exists as “a *selective* account of reality” (McNair, 1998, p77), an inexact or ideological reflection of the objective world. Although purchased for its authoritative certainty (Ericson, Baranek & Chan, 1987), news is incapable of unembroidered reporting (Herbert, 2000; Burton, 2005). Assuming that there is objective truth to be known, the process of communication ensures that information is, to some extent, disfigured (Shoemaker, 1997). Prudent so as to avert the ‘myth ritual of objectivity’,<sup>8</sup> Cohen and Young (1973) describe objective journalism as that which depicts reality in the most faithful of manners; news which *aims* for depersonalized neutrality, the balance of conflicting perspectives, within accurate depictions of knowledge (Singer & Endreny, 1993; Entman, 1989; Reese, 1997). While optimistic, the dispassionate approach can ensure only the portrayal of *relative truth*. And accurate, balanced, objective journalism remains confined to assembling cognitive interpretations of ‘commercial knowledge’<sup>9</sup> (Ericson, Baranek & Chan, 1991; Fishman, 1980) which are forever socially constructed (Richardson, 1990). Objectivity in press becomes nothing more than attempts at fair and diverse gate-keeping.

Originally coined by social psychologist Kurt Lewin and applied to the study of journalism by Manning (1950), ‘gate-keeping’ is the selection of events, views and/or messages that are to be erected as press narratives (Bird & Dardenne, 1997). Analogous

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<sup>7</sup> Defined in Collins (2005, p855) as “the profession or practice of reporting about, photographing, or editing news stories for one of the mass media”.

<sup>8</sup> Described by Larsen (1997) as the belief that news can be truly objective.

<sup>9</sup> Described by Chibnall (1977) as knowledge designed to appease consumer audiences.

to accounts of ‘framing’,<sup>10</sup> gate-keeping is the art of journalism (Smith, 1978), the controlled structuring of reality guided by textual formats (Hansen, 2000; Miller & Reichert, 2000). Echoing earlier publications (Snow, 1983; Meyrowitz, 1985), Altheide and Michalowski (1999) talk to narrative formats as commonly shared assumptions of temporal rhythm, place editing and textual style which characterize and differentiate forms of press (i.e. popular from quality). It is the politically appeasing and economically profitable staging of knowledge, so as to reflect audience standards of communication which make the familiar familiar and desirable (Altheide, 1997).

In spite of its origins, “news has become a mass-produced consumer product” (Bennett, 2007, p40) whose content, according to Liberal Pluralists, is governed largely by public appeal (Koss, 1984; Howitt, 1982; Curran, 2002). Tailored to appease the infotainment diet of consumer audiences, contemporary news is devoid of the fatty material (long complex stories covering insipid events) media consumers find troublesome to digest (Altschull, 1997). The rubric for journalists wishing to publish is simple, give “the readers what they want” (Chibnall, 1977, p160), straightforward entertaining sex crime knowledge (Leiberman, 2000), without offend the existing order of governance.

Although the perception shaping potential of news media is irresolute (Cumberbatch, 1998; Livingstone, 1996), its perceived ability to set public agendas has warranted the state’s purchase of, and interference in, media power. Employing the press

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<sup>10</sup> Understood as the promotion of particular problems, causes and solutions over possible alternatives (Tuchman, 1976; Gitlin, 1980; Entman, 1993). Popularized by a 1955 Gregory Bateson paper entitled ‘A theory of play and phantasy’ (Goffman, 1974).

as a means of policy dissemination and initiative promotion,<sup>11</sup> governing bodies of varying political ideologies invest in news based campaigns, while simultaneously restricting its content potential (Turow, 1997; McCombs, 1989). Threats of fines and/or the possible revocation of licensing, ensures that North American news manufactures “uphold social, cultural, political and economic order” (Ericson, Baranek & Chan, 1987, p108). While pecuniary punishments are favoured by liberal democracies (Bennett, 2007), news media’s ability to undermine the legitimacy of state rule has been used as validation for violence.<sup>12</sup> Burton (2005, p20) contends that “[w]hen the chips are down, it is the government that...controls...the media”, but newspapermen who make it.

To a limited extent (Dunwoody, 1997; McNair, 1998), “[n]ews is what newspapermen make it” (Gieber, 1964, p173). Journalists decide who to quote, ignore, praise, or condemn (Ryan, Anastario & DaCunha, 2006), in press narratives they, in part, delimit as newsworthy. Although contentious, the creative autonomy gained in writing is often lost in editing (Ericson, Baranek & Chan, 1989). Stories which do not comply with preset understandings of laudable media are disfigured or discarded by financially driven editorial artisans (Berkowitz, 1997; Bogart, 1981). While levels of superior influence will differ amongst organizations, lasting journalists are the occupationally socialized; persons able to construct news so as to appease two distinct levels of constraint: news proprietors and media sources.

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<sup>11</sup> i.e. World War II and Cold War propaganda campaigns, Reagan’s ‘War On Drugs’.

<sup>12</sup> In 1997 approximately 84 journalists were killed worldwide while in the course of investigating potential stories (McNair, 1998).

Radical understandings of news development charge the press with serving the interests of those who own its means of production (Altschull, 1984; Schudson, 1997). Described by McNair (1998, p103) as “key players in the domestic and international capitalist economies within which their media operate”, news proprietors are believed to exploit the medium for political and/or financial gain. Of possible merit during times when newspapers were small and numerous, Curran (2002) contends that the dissolution of ownership to expanding media conglomerates and public shareholders negates the theory’s modern relevance. While repeatedly exaggerated, Burton (2005) assures that this dominance paradigm is not imaginary or irreverent. News owners (shareholder, etcetera) are capable of regulating news content. Chief Executive Officers and Board Chairman, acting on behalf of investors, may still set press policy so as to maximize profit and lobby for legislations amenable to corporate interests. As fewer corporations control greater shares of the North American news market (Bagdikian, 1983; Chibnall, 1977), the ability of news owners to sculpt source supplied knowledge has arguably increased (Schudson, 1997). This assimilation of power by large for profit organizations is of importance to the study of sex crime narration and prevalence within news mediums. Attempts to maximize readership by increasing the consistency of sensational sex-crime stories may account for the surges in child sex offence reporting throughout the 1970s, 80s and 90s (Grondin, 2006). Alternatively, the securing of ‘better’ sources may also account for the rise.

The news media is, for the most part, dependent upon others to supply them with marketable information, news (Ettema, Whitney & Wackman, 1997; Fishman, 1980).

While journalists initially construct press narratives, profitable portrayals are those substantiated by authoritative claims of factuality (Ericson, Baranek & Chan, 1987). This dependency or inclusion of supportive assertions, by person(s) recognized as 'in the know', permits depictions of reality to remain beyond the realm of fringe media. The quality journalist is, thus, one who keenly observes, selects, cultivates, and does not offend the most credible of sources (Singer & Endreny, 1993), whose accounts fit desired frames. Similar to monetary investors, sources of information must be deftly wooed (Hoch, 1974). Filtered through yet another system of appeasement prior to its public sale, news content is structured so as to encourage a perpetual bond between journalists and person(s) primarily contributing to their sex crime knowledge. However, sources do not simply rely on the press to portray them in politically placatory ways; they too engage in forms of favourable framing and gate-keep journalism (Turow, 1997); off-putting facts and figures are withheld, so as to secure an auspicious public image yet appease the news reporter.

The editorial role of journalists in pruning down and re-fabricating information relayed by those 'in the know' regulates, to some extent, source conduct. Positive portrayals of events by knowledge providers (i.e. plea bargaining to save taxpayer money) may be depicted as acts of incompetence (i.e. victim injustice) by a dejected press. Thus, sources wishing to gain 'ownership' over specific topics are advised to appease the architects of news media (Bennett, 2007). Investing in public relation specialists and media officers, North American police services have secured the attention of news journalist through the carefully administered sale of pre-packaged knowledge,

‘pseudo-events’.<sup>13</sup> Having supplied news peddlers with a relatively consistent source of newsworthy information, policing agencies are given claim on matters pertaining to criminal justice; they are the organization most sourced in relating press narratives and “reporters rarely stray from what their police contacts supply” (Graber, 1980, p47). Ericson, Baranek and Chan (1989, p139) describe this entitlement as the ‘invisible hand of the law’, the dangerous treatment of police constructions as facts.

Often the sole means of establishing ‘truth’ within newspaper reports (Ericson, Baranek & Chan, 1987; 1991), quotations of high standing state employees are the superlative mark of validation (Sigal, 1973; Miller & Riechert, 2000). With few exceptions (i.e. private sector, citizens), news stories are constructed upon the statements of government bureaucracies (Rock, 1973; Reiner, 2000; Fishman, 1980; Curran, 2002) whose mandates pivot around the securing of social control; the conveying of accuracy or perceptions of truth is of secondary importance to the construction of news which assists in promoting state ambitions (Chibnall, 1977).<sup>14</sup> Notwithstanding the dangers of equating fact with bureaucratic contentions (Tuchman, 1978), news journalists continue to rely on police press reports and interview quotations as means of validating narrative claims of objectivity (Turow, 1997). This principal dependence on state department assertions of candour, as opposed to related academic texts, survey and trend statistics (Ericson, Baranek & Chan, 1987, 1989) supports contentions that the reporting of objective ICL truths is likely beyond the aptitude of news media.

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<sup>13</sup> Happenings or events designed to be attractive, easy, for journalists to report on - i.e. press conferences, press releases (Boorstin, 1962; McNair, 1998).

<sup>14</sup> Royal Canadian Mounted Police’s (RCMP) Operations Mandate stresses the prevention and investigation of crime, national security, the enforcement of laws and the maintenance of order as key prerogatives. There is no mention of openness or honesty in dealings with the public (RCMP, 2008).

Assuming there is dispassionate truth to be known, and that the process of communication does not ensure information is, to some extent, disfigured, news narratives could still not be said to simply transmit messages (Smith, 1978; Gans, 1979). Forced to appease a multitude of clients, suppliers, and press policy regulators, news content is never more than the structured, selectively recorded, presentation of investor friendly knowledge. Even without this need to please, human, financial and technological restraints would bias reporting and ensure the falsified presentation of reality. A 'myth making process' (Burton, 2005) where stories are built upon the primary constructions of self-interested state storytellers, whose ambition and policies inhibit portrayals of objective truth, has come to define the profession of journalism. Newspapers become yet another means of peddling selective deviance, habitually publicized as affronts to child purity and sexual innocence.

## **2.2 Constructing News**

### **2.2.1 The Selectivity of Deviance**

“Deviance is created by society...I mean, rather, that *social groups create deviance by making the rules whose infraction constitutes deviance* and by applying those rules to particular persons and labelling them as outsiders. From this point of view, deviance is *not* a quality of the act the person commits but rather a consequence of the application by others of rules and sanctions to an ‘offender’.” (Becker, 1963, p9)

The suppleness of society’s moral boundaries has, over time and place, branded a vast number of dissimilar, at time contradictory, acts and actors ‘deviant’ (Thompson, 1998; Ben-Yehuda, 1985). Such moral liveness suggests that no condition has a lone obligatory meaning, understanding which can definitively be construed as true (Loseke &

Best, 2003; Loseke, 2003). Instead, there exists a multitude of ways in which the empirical world can be interpreted or attributed significance, a multitude of means to perceive the movement of celestial bodies, poor crop yields, or sexually appropriate behaviour.

Having assessed the annals of tolerable sexual orientation and conduct, Jenkins (1998, 1992) accentuates the varying social constructions of child sexual reality and its related adult offending. The noted alterations in legal, moral and ethical standards of appropriate adult-child sexuality are discernable in the social evolutions of ancient cultures to the modern world (Goldhill, 2004; Skinner, 2005).<sup>15</sup> Political shifting, the loss or gain of a group's ability to generate "enough power so as to enforce their definition and version of morality on others" (Ben-Yehuda, 1990, p6), can be attributed as the propellant of such progression. With political agency secured, the culturally-relative and 'socially-constructed'<sup>16</sup> notion of deviance and those labelled deviant can be revolutionized, brought into line with the morality of the hour or day, by those who have a vested interest in the promotion of concern around a specific issue or social problem. 'Reality', as morality, thus exists not as a stagnant objective state, but as a shifting product of social construction.

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<sup>15</sup> Talking to the customs of men within ancient Greece, Dover (2003, p123) affirm that "if a Greek admitted that he was in love with a boy, he could expect sympathy and encouragement from his friends, and if it was known that he had attained his goal, envy and admiration".

<sup>16</sup> Best (2000, p6) employed the term to denote "no empirical reference – it is a social construction unanchored to empirical reality".

### 2.2.2 Social Constructionism

The theoretical parallel to a functionalist understanding of social problems, social construction theorists imbed sociological study in the definitional process of claims-making (Kitsuse & Spector, 1973). This new, ‘radical’ (Bogen & Lynch, 1993), approach opposes realist ambitions to ascertaining the cause of social problems within an objective actuality (Marlaire & Maynard, 1993). Instead, the constructionist concerns herself with “the process by which people design some social conditions as social problems” (Best, 1995, p6), claim-making.

The rival of realist ideologies purporting the existence of objectivity, early construction theorists appeared theoretically unresolved in their analysis of idiomatic productions.<sup>17</sup> Noting a dependence upon objective knowledge within their means of assessing social problems,<sup>18</sup> Woolgar and Pawluch (1985) accused the internally inconsistent theory of ontological gerrymandering (using analytic descriptions of conditions that are themselves definitional claims). The constructionist split which followed is described by Best (1993) as resulting from a strong or weak reading of Spector and Kitsuse’s (1977) *Constructing Social Problems*.

Asserting a strong reading of the 1977 text, Ibarra and Kitsuse (1993) dismiss Woolgar and Pawluch’s gerrymandering claim as inapplicable. Alleging that Spector and

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<sup>17</sup> A term employed by some constructionists in place of ‘social problems’ to accentuate such problems as social accomplishments and enforce the viewpoint that claims-making activities cannot be described through the application of scientific standards of rationality (Ibarra & Kitsuse, 2003).

<sup>18</sup> 1) a condition is identified 2) claims about that condition are studied 3) *analyst compares the claims with the nature of the condition to determine the effect of social definers.*

Kitsuse's were uninterested in describing the ontological status (objective reality) of social conditions, the authors depict the early work as constrained to the subjective measures of textual or narrative claims-making analysis, topical constructionism.<sup>19</sup> However, "a strong reading that 'never leaves language' is an illusion because language never leaves society" (Best, 2003, p63); speech does not exist in a vacuum, devoid of empirical influences. Thus the strict constructionist claim of analytic purity, unscathed by assumptions of objective reality, becomes a clutter of epistemology that too is ontological gerrymandering (Best, 2003).

Convinced that "it is impossible to determine the relationship between objective damage and subject concern" (Goode & Ben-Yehuda, 1994, p94), the hard constructionist's strict language focus fails to assess the 'interesting features' of social problems (Best, 1993), the validity of claims. Opposing this 'dead end' (Gusfield, 1981), 'armchair' (Best, 1995) sociology, the contextual<sup>20</sup> constructionists unreservedly confessed to gerrymandering allegations. Professing practical utility as a "warrant for theoretical compromise" (Holstein & Miller, 1993a, p245), the weak reader of *Constructing Social Problems* concedes assumptions of objective conditions and sociological knowledge (Gusfield, 1981; Loseke, 2003a), allowing for subjective definitions to be compared against the *calculable* objective severity of social conditions (Goode & Ben-Yehuda, 1994). By permitting the assessment of social problem's interesting features, gerrymandering is perceived as theoretically useful, desired if not

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<sup>19</sup> Known also as hard or 'strict' constructionism and is indicative of a strong reading of the 1977 Spector and Kitsuse text 'Constructing Social Problems' (Best, 1993).

<sup>20</sup> Known also as the soft or 'moderate' constructionist (Goode & Ben-Yehuda, 1994) and is indicative of a strong reading of the 1977 Spector and Kitsuse text 'Constructing Social Problems' (Best, 1993).

unavoidable (Bogard, 2003), under an aphorism that it is best to sacrifice analytic purity for useful intelligence (Best, 1995; Miller & Holstein, 1993; Miller, 1993). Knowledge that would allow for validity assessments of social problem claims via the employment of research (i.e. National Juvenile Online Victimization Study) “in which we can have reasonable – but not absolute – confidence” (Miller, 2003a, p241).

### **2.2.3 The Social Construction of Social Problems**

Austerly stated, social problems are conditions, latent or spurious, which are construed by some to be problematic (Schneider, 1985). That is, it is not merely enough for a malignant condition to exist within some physical space (Blumer, 1971), empirically validated by objective measures (Best, 1995). Nor is it required. The condition must be collectively defined (Loseke, 2003a), ‘talked into being’ (Heritage, 1984) a widespread wrong, which *can*, and is believed *should*, be remedied (Loseke & Best, 2003). Social problems are thus constructions of “the human mind, *called into being* or *constituted by* the definitional process” (Goode & Ben-Yehuda, 1994, p88) of ‘claims-making’.

Defined as “an act of communication...[which] attempts to persuade” (Best 1995, p13), claims-making is the process through which undesired conditions become ‘social problems’ (Goode & Ben-Yehuda, 1994). It is the promotion of a ‘claim’, a verbal, visual, or behavioural statement which in some manner contributes to the creation of social problems (Miller & Holstein, 1989). While the claimed condition need not exist in actuality, it must be interpreted as real within the minds of those exposed to the

message; “social problem[s]... [are] created only when audience members evaluate claims as being believable and important” (Loseke, 2003a, p27). Thus, peddlers of particular social constructions as objective realities (i.e. religious leaders, government lobbyists, child rights activists, the news media, etcetera) are dependent upon their ability to engage the ‘language game’ (Wittgenstein, 1969) of construction politics.

“[A] form of appearance, design, or production” (Collins, 2005, p1619), style, relating to one’s mode of communication, is of particular significance when attempting to underscore the discrepancy between a desired reality and that currently perceived (Merton, 1976). Often attempting to appease an audience’s sense of rectitude, Ibarra and Kitsuse (2003) talk to claims-making as existing within one of six categorical styles.<sup>21</sup> While the appropriateness of style selection may vary in accordance to organizational budgets, operational timeframes, resource availability, and topical sensitivity, it would appear as though each categorical frame has, to some extent, been employed in drawing attention to social constructions of child sexual abuse and maltreatment. Despite such variation, claims-making initiatives seem principally attuned to rhetorically producing people-type categories within a melodramatic moral order, accentuating the dissimilarity between ‘victim’ and ‘victimizer’, the socially valued and devalued.<sup>22</sup> By constructing claims in accordance to emotional orientations indexed on people-type categories, one is likely to evoke greater support than simply describing a condition-category as punitive and/or relying on the appeal of logic (Loseke, 2003; 2003a).

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<sup>21</sup> 1. scientific; 2. comic; 3. theatrical; 4. civic; 5. sub-cultural; and 6. legislative.

<sup>22</sup> Best (1995, p84) describes melodramas as portraying “power relations, interests, values, and motives in terms of good and evil, weak and strong characters.” See also Nelson-Rowe, 2003.

Noted in *Rethinking victimization* (Holstein & Miller, 1990), labelling one a ‘victim’ implies that (s)he was powerless to prevent the harm caused to their person; such responsibility is assigned to the ‘victimizer’, whose intent to commit an illicit act has labelled him at fault for the resulting distress. While this latter designation, at all times, identifies the offence’s culpable party, individual status within the term varies in accordance to claims-maker portrayals of offender characteristics. For example, by constructing the child sexual offender as a ‘calculating sexual fiend’, not to the ‘unwilling injured party of a mental disorder’, a type category of ‘victimizer’ is more appropriate than the alternative ‘offending victim’ or ‘mentally ill’ markers. The offender becomes less worthy of sympathy and more deserving of condemnation (Loseke, 2003). A similar dichotomy applies to victims; children are perceived as more worthy of the designation than correctional inmates or prostitutes subject to sexual abuse. Holstein and Miller (1990) equate the above worthiness with morality. And thus, it is a moral person who is deserving of our sympathy and protection. Since “issues of moral evaluation *always* and *necessarily* lie behind any claims” (Loseke, 2003a, p39), Wittgenstein’s (1969) ‘language game’ may be construed as a moral (Ibarra & Kitsuse, 2003) or emotion talk (Loseke, 2003), taking place within a social problems marketplace.

As employed by Best (1990), the ‘social problems marketplace’ is a metaphor used to articulate the competition amongst claims-makers for audience attention. The ability of the market-place, news media, to cart social problems is finite (Hilgartner & Bosk, 1988) and risk oriented; only claims perceived immensely pressing and treacherous are given stage from which to speak (Benford & Hunt, 2003). Due to this orientation,

claims-makers structure claims within pre-existing notions of fear (Gamson, Croteau, Hoynes & Sasson, 1992) and past frames of importance (Snow & Benford, 1988). “Defining a particular *incident* as an *instance* of some larger [social] problem” (Best, 1995, p48), transfers past anxiety to modern phenomenon and authenticity to contemporary claims. The reinvention of the ‘immoral homosexual’, ‘exploitive father’ and ‘unholy priest’ as ‘Internet predator’, ‘stalker’, ‘lurer’ and pillager of child sexual purity, assists in justifying this new social construction’s bid for objective status, recognition as a ‘social problem’ (Ferrell, 1998). The Internet lurker is thus marketed not as a novel threat to child sanctity but as a continuation of the 1960’s construction of child sexual abuse. Often sensational (Orcutt & Turner, 1993), such parings are not concerned with the accurate depiction of a perceived threat (Best, 1990). Their focus lies within the realm of successful marketing, often to a very exclusive audience.

Loseke (2003a, p28) talks to a hierarchy of audience significance, in which she notes “that ‘audience’ does not necessarily mean the majority of people”. While convincing large segments of the general public can be of influence in claim marketing, it is often only necessary to persuade select persons of social, cultural and/or political authority; federal lobbyists need only convince voting members of parliament that certain acts be formally criminalized in law. Revisions or amendments to federal codes of conduct are rarely subject to national referendums. They are instead the result of organizational sponsored claims (i.e. Canadian Children’s Rights Council; Child Welfare League of Canada), targeting the authoritative elite, which present politically acceptable solutions to perceived threats of administrative concern, using scientific or legal language

(Loseke, 2003). In March of 2001, such claims would materialize in An Act to Amend the Criminal Code.

## **2.3 Internet Child Luring**

### **2.3.1 C.C.C Section 172.1**

On the 14<sup>th</sup> of March 2001, Bill C-15, an Act to Amend the Criminal Code and other Acts (the Criminal Law Amendment Act, 2001), was introduced to the Federal House of Commons in response to, among other things, the growing problem of persons using the Internet to facilitate the sexual exploitation of children. Having passed a motion on the 26<sup>th</sup> of September 2001, the House of Commons directed The Standing Committee on Justice and Human Rights to split Bill C-15 into two separate bills: Bill C-15A, An Act to amend the Criminal Code and other Acts, and Bill C-15B, An Act to amend the Criminal Code and the Firearms Act. While the split was coupled with the amendment of certain sections, the Committee reported Bill C-15A back to the House on the 5<sup>th</sup> of October 2001. Although the proposed bill reintroduced measures pioneered by Bills C-17 and C-36, both of which died on the order paper at the dissolution of the previous parliamentary session, Bill C-15A's clause 8 engendered an amendment to Criminal Code (C.C.) section 172 (Goetz & Lafreniere, 2001). The revision (section 172.1), if passed, would "make it an offence to communicate via a 'computer system' with a person under a certain age, or a person whom the accused believes to be under a certain age, for the purpose of facilitating the commission of certain sexual offences in relation to children or child abduction." (Goetz & Lafreniere, 2001, p4) As signed by the Governor General on the 4<sup>th</sup> day of June 2002,

- “(1) Every person commits an offence who, by means of a computer system within the meaning of subsection 342.1(2), communicates with
- (a) a person who is, or who the accused believes is, under the age of eighteen years, for the purposes of facilitating the commission of an offence under subsection 153(1) [sexual exploitation], subsection 155 [incest] or 163.1 [corrupting morals], subsection 212 [procuring sexual intercourse] (1) or (4) or section 271 [sexual assault], 272 or 273 with respect to that person;
  - (b) a person who is, or who the accused believes is, under the age of sixteen years, for the purposes of facilitating the commission of an offence under section 280 [abduction of a person under the age of 14] with respect to that person; or
  - (c) a person who is, or who the accused believes is, under the age fourteen years, for the purpose of facilitating the commission of an offence under section 151 [sexual interference] or 152 [invitation to sexual touching], subsection 160(3) [bestiality] or 173(2) [indecent acts] or section 281 with respect to that person.
- (2) Every person who commits an offence under subsection (1) is guilty of
- (a) an indictable offence and liable to imprisonment for a term of no more than five years; or
  - (b) an offence punishable on summary conviction.”
- (Greenspan & Rosenberg, 2004, pCC-309)

In addition to the above, Bill C-15A’s Royal Assent also amended ‘long-term offender’ provisions under C.C. s.753.1, allowing for a court to order post-release community supervision for up to ten years, and expanded the list of offences for which a long-term offender order may be made, to include section 172.1 offences (Goetz & Lafreniere, 2001). It is crucial, however, to note that, with the exception of acts stated in section 172.1(1)(a), the legal age of sexual consent is sixteen.<sup>23</sup> Therefore, while Bill C-15A does protect children over the age of 16 from being sexually solicited, via a computer system, by their parents or other persons holding positions of ‘authority’ or ‘trust’, it does not protect those sixteen and older from being invited, or persuaded, to engage in sexual activities with other adult person(s). As of this date, only a few cases prosecuted under Section 172.1 have made their way through Canadian courts, typically

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<sup>23</sup> Increased from 14 years of age, with the passage of Bill C-2 (Tackling Violent Crime Act) on the 28<sup>th</sup> of February, 2008.

resulting in short custodial and/or probationary sentences.<sup>24</sup> The experience in the United States appears similar; terms of custody not exceeding 12 months are the judicial norm (Mitchell, Wolak & Finkelhor, 2005) for ICL offender attempting to abuse children through persuasive online chat.

### **2.3.2 Means of Persuasion**

The University of Central Lancashire's Cyberspace Research Unit, describes the luring of a child over the Internet as a six step process (Lerin, 2004). Having successfully persuaded a potential victim to engage in private chat (the Friendship Stage), ICL offenders attempt to ascertain information pertaining to the young person's lifestyle and/or personal difficulties (the Relationship-Forming Stage). By expressing concern as to the child's quandaries, the offender identifies with the minor on his/her terms and concludes the Mutuality Stage. The next phase is that of Risk Assessment. The offender will determine whether the perceived threats (parental presence, supervision, computer's location within the home, etcetera) outweigh the gratification sought through the child's sexual abuse. Should the potential gratification outweigh the know risks associated with the offences commission, the Exclusivity Stage will follow. Using powerful language to

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<sup>24</sup> **R. v. Jarvis, 2006 OAC 214** – 6 months custodial sentence, 3 years probation, 10 year order under Criminal Code s.161(1); **R. v. Kydyk, 2005 ONCJ 4873** – 9 month custodial sentence, 3 years probation; **R. v. Gurr, 2007 BCSC 1586** – 12 month custodial sentence; **R. v. P.H., 2004 ABPC 150** – 12 month custodial sentence, 3 years probation, 10 year order under Criminal Code s161(1); **R. v. Folino, 2005 OAC 203** – 18 months conditional sentence; **R. v. Lithgrow, 2007 ONCL 534** – 12 months house arrest; **R. v. Horeczy, 2006 CanLII 40775 (MBPC)** – 7 counts of s.171.1 = 15 month custodial sentence, 3 years probation, 5 year order unders s.161(1); **R. v. Dhandhukia, 2007 CanLII 16628 (ONSC)** – 12 months reformatory, 3 years probation; **R. v. Ross, 2007 ONCL 286** – charges stayed, 13.5 month delay; **R. v. Carratt, 2005 AJPC 743** – 18 month custodial sentence, 3 years probation.

create trust and victim compliance, the offender employs this stage as a prelude to Sex Chat, stage six (Lerin, 2004).

Noting a similar mode opératoire, Courvoisier (2008, p34) identifies l'étape sexualité, as one in which "la nature des conversations varie de suggestions à des descriptions sexuelles explicites du sexe oral ou du coït. Souvent le pédophile demandera à l'enfant de se caresser et d'ensuite décrire ce qu'il ressent." Pornography may or may not be used as a means to induce the child's compliance. Following a reassessment of risk, one estimates that 74 percent of all ICL offences will involve a face-to-face encounter, in which there exists a 93 percent probability of sexual contact (Wolak, Mitchell, & Finkelhor, 2005).

Having initially met through online social networking sites (76 percent), instant messages (10 percent) or e-mail (5 percent), victim-offender courting typically persists for 1 to 6 months (Wolak, Finkelhor & Mitchell, 2004). During this period, 98 percent of cases are thought to incorporate telephone conversations (79 percent) or traditional mail system correspondence as an additional means of communication (Wolak, Finkelhor & Mitchell, 2004). Exploiting the above media, 47 percent of listed offenders offered or gave gifts/money to their victims and 48 percent sent personal photographs to hasten relationship development (Wolak, Finkelhor & Mitchell, 2004). Established themselves, in most cases, as a caring understanding *adult friend*, N-JOV research predicts a 50 percent likelihood that the victim will 'fall in love' or feel a close emotional attachment to their assailant (Wolak, Finkelhor & Mitchell, 2004).

Described in the literary works of Abraham (1927), Bender and Blau (1937), Mohr, Turner and Jerry (1964), Henderson (1975), and Justice and Justice (1979), the notion of the 'child seductress' is by no means a novel concept. While the intention is not to present the theory as a defence, or justification, of an offender's conduct, its arguments may be of interest when attempting to comprehend some of the statistical realities that characterize ICL. Despite the existence of several adaptations, the theory's core is constructed upon the notion that some victimized children contribute to their victimization by deliberately interacting with adult persons for the purpose of stimulating them sexually. The theory accounts for these advances by presenting them as the product of rational thought, where a child's ability to obtain desired adult affection, through conventional channels, is impaired (Finkelhor, 1979). It is, however, imperative to note that for the theory to function effectively it requires an offender, able and willing, to exploit a child's natural state of adult dependence. Legally lacking the ability to understand what it is he or she is consenting to and the true freedom to accept or decline any advances, the consent of youths under 16 years of age to engage in sexual activity does not render the act legal (Finkelhor, 1984). However, a youths willingness to provide sexual gratification to adult person(s) in exchange for relationships centered upon their emotional and physical affection could account for reasons as to why 70 percent of offenders do not lie about their age,<sup>25</sup> 73 percent of youths who physically met with a male offender continue to do so (20 percent lived together at some point) in relationships

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<sup>25</sup> Although most offenders (47 percent) were more than twenty years older than their victims, age deception among adult delinquents was a rare occurrence; "only 5 percent of offenders represented themselves online as peers of victims by claiming they were age 17 or younger...25 percent of offenders shaved a few years off their true ages, but still represented themselves as much older than their young targets" (Wolak, Finkelhor & Mitchell, 2004, 424.e15).

where there exists only a 5 percent likelihood of violence,<sup>26</sup> and a 16 percent probability of sexual coercion (Wolak, Mitchell & Finkelhor, 2005).

### **2.3.3 Victim/Offender Characteristics**

In a 2004 *Journal of Adolescent Health* article, funded by the U.S. Department of Justice, Wolak, Finkelhor, and Mitchell draw upon N-JOV (National Juvenile Online Victimization Study) statistical data to illustrate the demographic characteristics of ICL victims and their offenders. The study, a “national survey of a stratified random sample of 2574 law enforcement agencies conducted between October 2001 and July 2002” (Wolak, Finkelhor, Mitchell, 2004, p424.e11), examined 129 reported “sexual offences against juvenile victims that originated with online encounters” (Wolak, Finkelhor & Mitchell, 2004, p424.e11). Limited by a small sample size, possible police/law enforcement bias, and the reality that most sex crimes involving the victimization of minors go unreported [of those that are, few culminate in arrest (Kilpatrick, Saunders, 1999)], N-JOV is to date the largest and most extensive analysis pertaining to Internet related sex crimes in which young persons are victimized. Adopting the study’s assertions as contemporary truths, ICL victims are predominantly young non-Hispanic white female teens (76 percent between 13-15 years of age), living with both biological parents, in suburban or large town households with annual incomes ranging from \$20,000 to \$50,000 (Wolak, Finkelhor & Mitchell, 2004). Similar in regard to both race and sex, ICL victims differ from those exploited through child pornography in age (CP victims are

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<sup>26</sup> See also Hacking (1991), James (1996), Loseke (2003b) and West (2000).

somewhat younger, predominantly 12 years or less), social, economic and family status.<sup>27</sup>

Unlike victim delineations, ICL and CP offender portrayals are remarkably analogous.

Predominantly mid-30s, male and professionally employed, adults who engage in online sexual activity (Cooper, Morahan-Martin, Mathy & Mahen, 2002) are comparable to depictions of CP offenders, persons to which Wortley and Smallbone (2006) adjoin only a college educated and high intelligence.<sup>28</sup> ICL offender characteristics resonate with the both typifications. The vast majority depict a lone non-Hispanic white male, 26 to 39 years of age, high school educated, employed at the time of the offence, and at some point married (Wolak, Finkelhor & Mitchell, 2004; Mitchell, Wolak & Finkelhor, 2005). Despite these generalizations, “it would be wrong to assume that offending fits a homogeneous profile” (Krone, 2005, p26). Illicit deviance cannot be simplified so as to appropriately pardon or condemn an accused by character profile alone. Yet, it is of significance to note that few persons who molest (Holmes & Holmes, 2002) or lure children over the Internet are diagnosed as mentally ill or legally insane (Lerin, 2004). Unchallenged within ICL literature, the assertion joins a calculated decision to offend as part of ICL’s empirical description. For now, rational theory appears to exist as the appropriate explanation of ICL motivation and, thus, is discussed here.

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<sup>27</sup> “The children used in child pornography come from no identifiable social, economical background or nationality. In most countries, street children, poor children, and juveniles from broken homes, and disabled minors are those especially vulnerable to sexual exploitation or in danger of being seduced or coerced into child pornography.” (Jones, 1998, p66; See also Corriveau & Fortin, forthcoming 2009; Wolak, Mitchell & Finkelhor, 2005)

<sup>28</sup> See also Corriveau and Fortin (2009, forthcoming), Fortin and Roy (2007), and Seto and Eke (2005).

### 2.3.4 Rational Choice

“[H]uman beings are both rational and self-interested”.  
(Paternoster & Bachman, 2001, p14)

Having, in part, originated from the Beccarian notion that “pleasure and pain are the only springs of action in beings endowed with sensibility” (Beccaria, 1983, p28), classical Rational Choice (RC) theorists assert that human action is the result of sensible, calculated thinking, meant to increase one’s pleasures while reducing personal pain (Barkan, 2006; Paternoster & Bachman, 2001). A number of studies have supported the theory’s position that potential offenders weigh the costs, benefits, and risks of crime when choosing to offend (Bachman, Paternoster, & Ward, 1992; Bouffard, 2002; Exum, 2002), particularly in relation to ICL (Courvoisier, 2008); even those of high criminal propensity and impulsivity appear capable of some ‘rational’ calculation (Gottfredson & Hirschi, 1990; Wright, Caspi, Moffitt & Paternoster, 2004). Having assumed illicit actions are rooted in rational thought, RC theory is often tethered to theories of deterrence and the assumption that punishment, or at least the threat of punishment, will dissuade criminal activity (Barkan, 2006). Embracing this causal understanding of criminality, the answer to preventing “the fatal effects of private interests” (Beccaria, 1983, p27) lies in the state’s ability to increase the perceived costs/risks associated with the deviant act’s commission, so as to outweigh the assumed benefits of its successful completion (Pogarsky, 2002, p431). While the literature refers to a variety of potentially deterrent ‘costs’ [financial loss (Paternoster & Simpson, 1996), depleted peer respect (Nagin & Paternoster, 1994), feelings of shame or guilt (Grasmick & Bursik, 1990),

imprisonment (Barkan, 2006), etcetera], such threats may be of little significance should potential offenders calculate an undersized certainty of detection.

### **2.3.5 An Inability to Police**

While it has praised some countries for their response to the growing problem of persons using the Internet to sexually exploit children, the Canadian Resource Center for Victims of Crime has criticized the Canadian government's 'slow to react' approach and failure to provide the proper resources and tools to law enforcement officials. Reacting to the 1993 abduction of a ten year old boy lured over the Internet, the U.S. Federal Bureau of Investigation acknowledged the growing use of computer telecommunications in child-related sexual offences, through the assembling of its \$10 million annually budgeted *Innocent Images Unit* (CRCVC, 2000). The Office for Juvenile Justice and Delinquency Prevention and the United States Customs Service's Cyber Smuggling Unit have also been established to track child pornographers on-line and deal with related complaints stemming from NCMEC's (National Center for Missing and Exploited Children) tip-lines.

Lacking the enthusiasm observed in the United States, the Canadian Security Intelligence Service no longer lists 'sexual abuse and electronic warfare' as a current objective or priority (Canadian Securities Intelligence Service, 2008; CRCVC, 2000). Presently the 14 full-time officers that constitute Ontario Provincial Police's Child Pornography Unity (Project "P") are considered Canada's primary investigator of persons

“responsible for making, importing, exporting, selling, distributing, assessing and in possession of child pornography” (Ontario Ministry of Community Safety Correctional Services, 2006, para2). Formed in 1975, at the request of the Attorney General and lead by Detective Inspector Andrew Stewart, the provincial unit also enforces ICL legislation and provides advisory assistance to inquiring Crown counsels (Ontario Ministry of Community Safety Correctional Services, 2006, 2006a).

Huey (2002) asserts that it is limitations in resource, manpower, and a lack of dedication which account for the current ineffectiveness of online investigations. However, while it is clear that the Internet poses a significant challenge to state governance (CRCVC, 2000; Gackenbach, 1998; Tate, 1990; Schell, Martin, Hung, & Rueda, 2007), increased monetary budgets and motivation may still prove ineffective in the proactive/primary prevention of ICL offending.

### **2.3.6 Primary Prevention**

Understood as any activity designed to identify the environmental conditions that allow for the occurrence of illicit activity, primary prevention attempts to alter both physical and social conditions so as to positively influence human behaviour (Brantingham & Faust, 1976); it is energy spent on the prevention of abuse, prior to its initial occurrence, through the alteration of criminogenic environments (Modeste & Tamayose, 2004). Ideally, such efforts are based upon known causes of criminality (Klevens & Whitaker, 2007). However, because of difficulties in ascertaining causality,

primary prevention efforts focus, instead, on the modification of protective factors, 'risks', associated with child maltreatment (Klevens & Whitaker, 2007). Brantingham and Faust (1976) identify three means through which primary prevention may take place: 1) modifications to environmental design; 2) general social and physical well-being programs; 3) crime prevention education.

Crime Prevention Through Environmental Design (CPTED) is based upon the understanding that criminal activity will occur within environments that provide motivated offenders the opportunity to commit illicit acts (Brantingham & Faust, 1976). Similar in logic to Yar's (2005) explanation of the Routine Activity Theory (offender + target – guardian = crime), CPTED assumes that if one is able to increase the perceived presence of capable guardianship, offending behaviour would subside.<sup>29</sup> Embracing this ideology, an increased police presence within open (i.e. 'www' sites, bulletin boards, chatrooms) and closed (i.e. personal email accounts) areas of the Internet would likely amplify the 'risks' of ICL offending. While intrusive and likely to re-spark the flame war of the Great Renaming,<sup>30</sup> the increased presence would only be an effective deterrent for those lacking encryption software (Wortley & Smallbone, 2006).

Noting a variety of tools for concealing identity and information sharing amongst online parties (encryption, passwords, digital compression, remote storage, steganography, and computer audit disabling), Denning and Baugh (1999) profess that it

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<sup>29</sup> The Canadian Center for Child Protection's Cybertip.ca is dedicated to this preventative approach. Funded, in part, by the Ontario government the office acts as a national tip-line for persons wishing to report the online sexual exploitation of children (Canadian Center for Child Protection, n.d.).

<sup>30</sup> The 1987 restructuring of what would later be called the Internet by system administrators. The reform was an attempt to regain control over online content.

is the advancements in computer technology that hinder online investigations, not under-budgeted policing units or unmotivated, uninterested, staff; “(i)t is not just a matter of paying enough money or getting enough people on the Internet to help out. The resources simply do not exist – anywhere” (Denning & Baugh, 1999, p273). For those less technologically inclined, or simply less concerned with concealing their behaviour, Denning and Baugh (1999) concur with Huey’s (2002) that, in many cases, investigations of online criminality are solvable.<sup>31</sup> ISP (Internet Service Providers) and system administrators regularly perform data back ups, capable of indicating past illicit activity. If offenders refrain from using encryption software to communicate with children online and ISPs are willing to actively assist in police investigations, there exists a greater certainty that those who engage in ICL will be detected and punished. This rise in the certainty of detection is likely to either expand the employment of file encryption amongst the offender population or, optimistically, cause an imbalance in the calculation of risk and, thus, deter potential ICL offenders from offending.

There are, however, additional drawbacks to online CPTED. The Internet’s vast size makes it difficult, if not impossible, to effectively monitor (Gakenbach, 1998; Brenner, 2007; Yar, 2005; Wortley & Smallbone, 2006). Even if regulation were possible, jurisdictional issues, contradictory consent legislation, and cultural belief disparities, would hamper ICL investigations, especially for non-U.S. based police services.<sup>32</sup> While attempts to improve cross-boards enforcement have been made (i.e.

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<sup>31</sup> Quoting an American Vice Squad Officer: “[w]e don’t see a problem with [the Internet]. People communicate and they leave electronic trails which we follow... It’s easy. We only wish that other criminals gave us as much information.” (Vadon, 1995, p6, as cited in Littlewood, 2003, p4)

<sup>32</sup> 50 percent of Internet domains derive from within the United States (Castells, 2002).

Council of Europe's Convention on Cybercrime) such approaches require the currently lacking support of all countries to be truly effective (Brenner, 2007).

Forced to employ inefficient tactics, government enforcement organizations and Canadian politicians must balance society's need for protection against its desire for privacy. Therefore, unless the public is willing to allow for a more intrusive, more proactive, style of police work, increases to sentencing length and/or the national age of sexual consent will have little, if no, effect on preventing the commission of section 172.1 offences. The vast majority of ICL victimized youth do not view themselves as an injured party, nor will their desire to engage in sexual partnerships with adult persons diminish, following a legislative shift. Canadian society can turn only to the edification of its youth, as an efficient, effective, proactive means of prevention. Educators must counsel young persons as to the destructive consequences likely to arise from entering into sexual relationships with adults, while actively promoting existing services for youths lacking support, guidance, and affection. If society remains unable to deter offenders, social well-being programs must educate those at risk. To some extent, the development of such programs has already begun.<sup>33</sup>

Having assessed ICL's known actualities, the appropriateness of primary prevention techniques, offenders/victims profiles, and news media's incentives to distort the above, the following section outlines the methodological approach adopted to assess

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<sup>33</sup> 1 - Ontario's 'Air Dogs Internet Safety Program' is dedicated to "helping kids to stay safe online, by teaching them about how to avoid the dangers of the Internet." (Ontario Ministry of Community Safety and Correctional Services, 2003, para2) The interactive bilingual program is designed for grade 7 students and address issues of cyber theft, extortion and Internet luring. 2 - Kids' Internet Safety Alliance "aims to provide the best educational resources...that children and parents can access." (KINSA, 2008, para3)

the construction of Internet Child Luring by Toronto-based print media. While our research goals were stated within the study's introduction, at this time it is appropriate to re-assert those ambitions. The subsequent section is meant to provide a procedural layout intended to assess how Toronto-based newsprint constructs Internet Child Luring? How this construction measures against available research? And what evidence journalists use to support their ICL portrayals?

## **Methodology**

“News as a written or spoken form of communication is always constructed, in the sense that journalists never reveal all the information they have on a topic”. (Burns, 2002, p121)

The aim of this study is to analyse the manner in which three Toronto-based newspapers construct Internet Child Luring and present empirical evidence to support assertions that the phenomenon is as pervasive, or contained, as claimed. Our methodological approach is a qualitative/quantitative researched content analysis of The Toronto Star, The Globe & Mail, and National Post between the 1<sup>st</sup> of January, 1998, and August 1<sup>st</sup>, 2008. It is hoped that this research will help close the knowledge paucity currently associated with the portrayal of child sexual offending within the news media (Critchler, 2002; Greer, 2003).

### **3.1 Selection of the Medium**

Newspaper articles were selected for analysis as they are generally more accessible and indexed than other news sources (i.e. television, Internet, radio) and because a large portion of newspaper content is dedicated to the reporting of crime related topics (Surette, 1992; Cohen, 2002). While critics may argue that the newspaper is a dying medium (Shafer, 2006), NADBank statistics (2005) describe a fertile market of information transfer;

Despite hectic lifestyles and an increasing number of media choices, adults still spend a significant amount of time reading the daily newspaper. Across all markets, adults spend an average of **47 minutes** reading a daily newspaper on the **average weekday** and **88 minutes** reading on the **weekend**...78 percent of adults 18+ read a newspaper in the past week. (NADBank, 2005, para1)

Substantiated in a 2005 NADBank analysis, Toronto's six locally based newspaper enterprises (The Toronto Sun, The Toronto Star, The Globe & Mail, National Post, 24Hours, and Metro) support a reading population of 6,077,800 persons (NADBank, 2005). Representing 70+ percent of the Greater Toronto Area's weekly readership reach population, The Toronto Star (owned by Trostar), The Globe & Mail (owned by CTV Globemedia – formally Bell Globemedia 2001) and National Post (owned by CanWest Global Communications) were selected for analysis. All papers are *commercial* Toronto-based national English newspapers, covering the political spectrum of right (National Post) to left-centered (The Toronto Star) press. Each paper also relies primarily on verbal narratives, as opposed to numerical figures, to communicate information. This commitment to language is mirrored in the study's analytical approach.

### **3.2 Qualitative/Quantitative Research**

As noted by Bouma and Atkinson (1995, p206), “qualitative research can be described as any social science research that produces results that are not obtained by statistical procedures or other methods of quantification”. Echoing the work of Strauss and Corbin (1990), Bouma and Atkinson (1995) conclude their qualitative definition by acknowledging that it is not the nature of one's data, be it statistical figures or written text, which differentiate a qualitative from a quantitative study, but the analysis treatment employed. Stated differently, qualitative research is designed to provide an interpretive approach to the world that is not numerically focused or statistically bound (Bouma,

1996; Denzin & Lincoln, 2003); it is research characterized by the verbal or literary presentation of data (Del Balso & Lewis, 2005). Although Bryant and Cummins (2007) talk to the ascendancy of quantitative research in communication methodologies, others (Lindloff, 1991; Pauly, 1991) assert a rising qualitative focus on “the *deep structural* meaning conveyed by the message” (Berg, 2001, p242).

Opposing the atheoretical character of ‘abstracted empiricism’ (Mills, 1959) and its neglect of commonsense reasoning in favour of mathematical logic (Cicourel, 1964), qualitative research’s constructionist ontological nature “implies that social properties are outcomes of the interactions between individuals” (Bryman, 2001, p264). Embracing this orientation, the qualitative researcher concerns herself with the speculative, exploratory, analysis of variable relationships (Halfpenny, 1979). She attempts to make sense of the social world through the interpretation of that world by its inhabitants (Bryman, 2001). Adopting Bryman’s (2001) presumption of qualitative research goals and conceding The Toronto Star, The Globe & Mail, and National Post as inhabitants of Toronto-based media’s social world, Gubrium and Holstein’s (1997) tradition of ‘post-modernistic’ qualitative research (emphasising the sensitivity of ‘method talk’ on the construction of social reality) was used to study Toronto-based newspapers construction of Internet Child Luring. Sourcing the ‘printed article’ as the means through which Toronto-based papers communicate to their reading populace, the study exploited what Buchanan (1992, p133) describes as the ‘quality’ of qualitative research: “the power of its language to display a picture of the world in which we discover something about ourselves and our common humanity”.

Although the study adopted, primarily, a qualitative approach to data analysis, it did not support the pure qualitative/quantitative dichotomy Silverman (2000) talks to; statistical procedures were exercised as a means of content assessment, accumulated to, for example, depict trends in article 'focus' and 'tone'. Commonly considered the mainstay of sociological research (Selltiz, Jahoda, Deutsch & Cook, 1964; Singleton, Straits, Straits, & McAllister, 1988), the study's use of arithmetic analysis was in conjunction to its qualitative focus of newspaper content. As asserted by Krippendorff (2004, p87), "for the analysis of text both (qualitative and quantitative) are indispensable".

### **3.3 Content Analysis**

Supported as an employable method of analysis in the study of discourse construction (Burr, 2003) and media studies (Davis & Morsdell, 2006), content analysis, undertaken qualitatively or quantitatively, can be understood as "a social survey of a sample of images...using a tightly structured and closed questionnaire." (Slater, 1998, p235) Differing from hermeneutics, the assessment of texts to established necessary truths and meaning, content analysis concerns itself with "'meaning' only in the sense of what is explicit in the words used...and what is implied by their use from the range of alternatives that could have been employed" (Miller & Brewer, 2003, p43).

Operationalizing the above definition, a closed ended coding scheme was developed as a means to assess our primary 'records' and 'documents' of analysis, the printed article.

In *Naturalistic Inquiry*, Lincoln and Guba (1985, p277) define 'records' "to mean any written or recorded statement prepared by or for an individual...for the purposes of *attesting to an event or providing an accounting*". Often referred to as 'documents', a term denoting "any written or recorded material *other than a record*...such as...diaries, speeches, newspaper editorials" (Lincoln & Guba, 1985, p277), records express belief which must be rooted in fact. As abiders in the construction of crime's image, the manner in which print media blend the attesting of factual events and articles of lifestyle and advice are of importance (Bennet, 1982; Ericson, Baranek, & Chan, 1987; Silverman & Wilson, 2002; Greer, 2003); it is the coalescence of the two news forms which construct, for the reader, a single interpretation of a distinct topic. While both 'record' and 'document' based articles were included within the study's dataset, the distinction of hard, factually presented, from advice giving or soft news (MAN, 2005) was noted.

### **3.4 Data Collection**

On the 4<sup>th</sup> day of June 2002, following several Senate amendments and 14 months of deliberation, Bill C-15A's Royal Assent made it an offence to lure young persons over the Internet in an attempt to facilitate the commission of a sexual offence. Whether or not news media is the cause or product of political concern (Brown, 2003; Critcher, 2002), it's affiliation to politics and the legislative actions of governing bodies is undeniably strong. It is on the support of this correlation that January 1, 1998, was selected as the start date for data collection. Issues addressed in Bill C-15's mid-March introduction were likely mirrored within, if not reflections of, print media content. The

commencement date provided for over 53 months of analysis prior to the bill's induction and close to 10 calendar years of study, concluding on the 1<sup>st</sup> of August, 2008. The timeframe also allowed for the use of a computerized search engine to generate an apposite dataset.

Including articles from both national and regional publications, *Canadian Newsstand* is "Canada's most complete online newspaper research tool" (ProQuest Multimedia, 2007, para1). While the database is limited in its ability to provide published photographs or a selected article's physical layout, it does provide full access to all Toronto Star, Globe & Mail, and National Post articles of print dated post-1985, 1977 and 1997 respectively. Due to the close proximity of our analytical start date to Bill-C15's introductory reading, a 'keyword search' was employed to construct the study's dataset. The luring of children over the Internet, for sexual purposes, is a contemporary topic which, until recently, lacked a formal descriptive term. Thus, the computerized keyword search of ICL articles which prelude Bill-C15 becomes more problematic the further one deviates from March, 2001.

The words 'Internet' and 'web' were joined with 'lure' and 'luring' to conduct citation and document text searches of *Canadian newsstand's* Toronto Star, Globe & Mail, and National Post database. The resulting 'hits' were then filtered through the addition of 'child' and alternative synonyms to that word,<sup>34</sup> as asserted within the Oxford Thesaurus of English (2006) and Collins thesaurus A-Z (2006); uncommon old English

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<sup>34</sup> Boy, Girl, Youth, Teen, Adolescent, Minor, Juvenile, and Kid (all terms were searched with an asterisk\* so as to include words rooted in the above – i.e. children, girls, teenagers, etcetera).

terms, such as fledgling, stripling, and whippersnapper, were excluded. The search identified 1498 articles, 224 after excluding those found to be of irrelevant content, false positives, and 10 articles which talked exclusively to family/acquaintance offending.<sup>35</sup> Following these exclusions, no further attempt was made to refine the dataset. All articles talking to, however briefly, Internet Child Luring were included within the analysis, in conjunction with duplicates published on dissimilar dates, letters to the editor and secondary opinion pieces. This relatively uncensored approach was justified by an understanding that all printed articles represent an ingredient in the media's construction of criminological issues; be it the repetitious reinforcement of a previously published article or the inclusion of letters originating from outside the news organization.

The assembled writings were printed and numbered; author(s) name(s), dates of publication, section and article headlines were noted and transcribed to the data collection sheet (See Figure 3.4 A). Along with the above qualifiers, the collection sheet sought to establish article 'focus', written 'tone' (portrayal of ICL), and evidence supporting the ICL portrayal.

### **3.4.1 Focus**

An article's ICL 'focus', or the sub-ICL issue the author talked to most, was determined by discerning who, or what, the author employed as his 'principle' subject(s) or narrative setting(s). For example, was the story told in a manner that emphasized the

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<sup>35</sup> 10 articles of a refined 234 talked exclusively to incidents of family/acquaintance offending (where the victim was known to the offender prior to their online encounter – i.e. the victim's parent, guardian, relative).

plight of the child victim, the callousness of the online offender, or did it talk most to the creation of new legislation or offender sentencing? In-order to determine focus, the study looked to three aspects of journalistic writing and managerial editing: organizational forms of story arrangement, the utility and employability of headlines, and the 5 W's of news agency narration.<sup>36</sup>

Introduced during the America Civil War, and since then recurrently misdiagnosed as dying (Westley, 1980), the inverted-pyramid method of news writing is employed by upwards of 80 percent of newspaper journalists (Saxena, 2006; Brooks, Kennedy, Moen, Ranly, 2002). This hard-news favouring organizational form (Fink, 2003) arranges the textual narrative in a descending order of importance, commencing with the headline and/or lead (Dale & Pilgrim, 2005; Gibbs & Warhover, 2002; Rivers & Work, 1988).

In *Racism in the news: A Critical Discourse Analysis of news reporting in two Australian newspapers*, Toe (2000, p13) describes the article headline, heading or title, as “the crux of the news event...[a point of reference] a reader need only...glance at...to obtain a fairly accurate idea of what the whole report is about”. Critiqued in the journalism discussions of Saxena (2006) and Westley (1980), this ‘story in microcosm’ (Bell, 1991) role of the headline or ‘super lead’ (Garst and Bernstein, 1961) is not organically advantageous or accurate. Burns (2002) and Leon (1997) point to the often sensationalized nature of headlines as the product of thoughtful advertising campaigns, centered more upon attention grabbing than accurate reporting. Leventhal and Gray

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<sup>36</sup> Who, What, When, Where and Why

(1991) acknowledge this disconnect and stress the existence of a negative correlation between the more one reads and their initial interpretation of the article headline. Unable to confidently construe article focus through an analysis of 'super leads' and lacking the assurance that all forms of published news texts comply to an inverted-pyramid form of organizational narration, the entire article was consulted prior to deducing narrative focus; the *Who* of journalism's W's.

Designed to "illuminate a well-defined focus" (Harrigan & Dunlap, 2004, p204), Saxena (2006, p48) asserts that "the traditional news lead is built around the five 'W's' and an 'H'": the *Who, What, When, Where, Why, and How* of journalism (Burns, 2002; Conboy, 2007; Brooks, Kennedy, Moen & Ranly, 2002; Heyn & Brier, 1969). While there is disagreement as to when the elements of this 'Six-Finger Checklist' (Fink, 2003) are to be addressed (Hohenberg, 1973; Rivers & Work, 1988), "every news story should answer the questions" (Leiter, Harriss & Johnson, 2000, p97). Adopting this ideology, focus was determined by using the 'H' and 4 of journalism's 5 W's to isolate the fifth, the *Who*, around which a story evolves; the subject to which the remaining 4 W's and 'H' talk. Due to the complexity of many events, the 'Why' or authoritative comment of a subject's actions may not be present in all articles (Gibbs & Warhover, 2002). In such cases, focus was construed through an analysis of the remaining W's and H.

Once ascertained, '*Who*' was coded as one of nine categorical frames, selected to represent major ICL sub-issues as determined by preliminary analysis: 1 - Offender(s); 2 - Victim(s)/Potential victim(s); 3 - Persons known to offenders; 4 - Persons known to

victims/potential victims; 5 - Criminal Justice System Oriented: a) State Police b) Federal/Provincial Courts; 6 - Civilian Policing Bodies & Child/Victim Aid Organizations (CPB/COs); 7 - Federal/Provincial Government; 8 – Other; 9 – Unknown. Articles were not limited to a single focus, and those displaying two or more foci shared the appropriate coding labels. To be included additional foci must have answered no less than one of the 4 W's and/or H as provided by the lead focus. For example, should an article's primary focus be state police, answering 3 of the remaining 4 W's (i.e. when, where, why), subsequent foci would have to answer at least 2 W's or 1 W and H to have been counted.

The tenor, or general drift of written remarks, in which the author presented focus was also recorded as one of three categorical frames (positive, negative or neutral). The use of descriptive language, adverbs and adjectives, in relation to the presentation of focal objects, regarding lifestyle, personality and/or character, where employed as means for justifying focus tenor (i.e. referring to offenders as 'monsters', 'predators' or 'caring persons', the justice system as 'weak', or the victim as 'innocent'). Where stated, additional information concerning offenders (i.e. age, occupation, sex), victims and the nature of the offence itself (i.e. length of victim/offender relationship, use of additional means of communication, the threat of and/or use of physical violence) were also noted. As were the number of identifiable cases.

In order to allow for an alternative means of content comparison and incident scope, specific attention was paid to differentiable cases within the study's data set.

Cases were defined as ‘identifiable’ if the location, time of occurrence and name(s) of person(s) suspected, convicted, sentenced or acquitted of C.C.C section 172.1 or a ‘related’ offence<sup>37</sup> were made available. Cases in which the offender’s name was not provided, due to a publication ban or the offender’s age, but were distinguishable, based on the time and location of the offence, were also categorized identifiable. While both section 172.1 and related cases contribute to the Toronto media’s overall construction of Internet Child Luring, their partition permits for an analysis of offence reporting rates in contravention to Bill C-15A’s anti-luring legislation. A point of great significance in either the support or refute of ICL tone claims.

### **3.4.2 Tone**

Written ‘tone’ referred to the manner in which the article’s author portrayed ICL as a level of public threat. While there exists a vast array of means an author may employ to convey that we, the public, have little or much to fear from the potential ICL offender, tone was determined by words or statements suggesting the extent to which ICL has, is or may harm, in any way, members of the world community. Articles were assigned to one of three categorical frames (serious, not serious and neutral). Reports averting, for example, a crucial need for anti-luring legislation’ or urging ‘parents to use extreme caution in monitoring their child’s Internet use’ were deemed as constructing ICL as posing a serious threat to public safety. The use of terms such as ‘epidemic’ or

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<sup>37</sup> ICL ‘related’ offences refer to those offences which were described as Internet Child Luring by the Toronto-based press but for which section 172.1 of the Canadian Criminal Code was not used to charge, convict or acquit a suspected offender (i.e. cases prior to Bill C-15A’s Royal Assent or occurring outside of Canada).

'crime wave', in describing Internet Child Luring's prevalence, also justified the categorizing of an article's tone as 'serious'. Articles regarded as 'not serious' were those which presented ICL as, for example, a 'controlled' problem of rare/seldom occurrence. The label 'neutral' was applied to articles lacking an identifiable tone.

'Tone qualifiers' or evidence employed by the author to support her construction of ICL were also noted. Examples of such qualifiers may include, but were not limited to, expert and/or professional testimonials or statistical data. If mentioned, espoused means of primary prevention (i.e. articles proclaiming increased surveillance of the Internet as a method of offence reduction) were also recorded.

### **3.5 Research Limitations**

Time constraints justified Canadian newsstand's employment as a means of data collection superior to searching microfilm archives. Nevertheless, our reliance on a computerized database to gather pertinent articles is potentially problematic. Relevant text, not containing the elected keywords, may have been overlooked despite legislative and language considerations. The newsstand's inability to depict printed images, textual size, spacing, and the general physical layout of articles, confined our annalistic ability to the narrative text. This ignorance to the non-verbal aspect of newsprint is of significance (Berger, 2007). Comparing photographs to the printed word, McLuhan (1965) describes both as forms of 'hot media'.<sup>38</sup> Should one adopt McLuhan's understanding of

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<sup>38</sup> "A hot medium is one that extends one single sense in 'high definition'. High definition is the state of being well filled with data. A photograph is visually 'high definition'." (McLuhan, 1965, p22)

photographs as data rich, this study may be critiqued for having knowingly excluded key construct information in its analysis.

As previously mentioned, Shafer (2006) describes newspapers as a dying medium, unable to compete in an electronically advanced, techno-based age. Ives (2007) and Glenn (1994) support Shafer's view by highlighting the modern decline in paid readership and the possible influence of television on these numbers. Although Dertouzos and Trautman (1990) conclude that broadcast stations do not seem to affect the demand for newspaper advertising and circulation, a 1999 Princeton survey did declare that 56 percent of Americans consider television to be their primary source of news (Princeton Survey Research Associates International, 1999). While we can confide in NADBank statistics to support the claim that newspapers are still vastly employed as a primary source of information transfer, it is not the principal means through which people receive news. It may, therefore, have proven advantageous to study the construction of ICL by televised news broadcasts, whose perception of events is distributed across a greater percentage of the citizenry. Again, the choice of medium was espoused by constraints of time and accessibility. Factors which also excluded French language print media (i.e. *Journal Canora* and *L'Express de Toronto*).

Figure 3.4 A

Data Collection Sheet

Date of publication: \_\_\_\_\_ Document identification No. \_\_\_\_\_

Title: \_\_\_\_\_  
\_\_\_\_\_

Name of Author: \_\_\_\_\_

Type of article: \_\_\_\_\_

Location within newspaper: \_\_\_\_\_

Article focus: \_\_\_\_\_

Focus tenor: \_\_\_\_\_

Tone/Portrayal of ICL: \_\_\_\_\_

Evidence to support portrayal (i.e. quotes form 'experts'):

Offender Characteristics: \_\_\_\_\_

Victim Characteristics: \_\_\_\_\_

Offence Characteristics: \_\_\_\_\_

Presence of an Identifiable Offence: \_\_\_\_\_  
\_\_\_\_\_

Suggested means of primary prevention: \_\_\_\_\_

## **Analysis**

## 4.1 Article Distribution

As formerly avowed, the study's 115 month duration amassed 224 articles for analysis, the bulk of which (43.2 percent) derived from The Toronto Star. Although individually each paper averaged less than one ICL publication each 28-31 days (dependent upon the month), collectively the three papers talked to ICL on an apparent bi-weekly basis between January 1, 1998, and the 1<sup>st</sup> of August, 2008 (See Table 4.1 A). To simply distribute the number of articles over the study's duration is, however, misleading. The mathematical simplification fails to depict reporting irregularities.

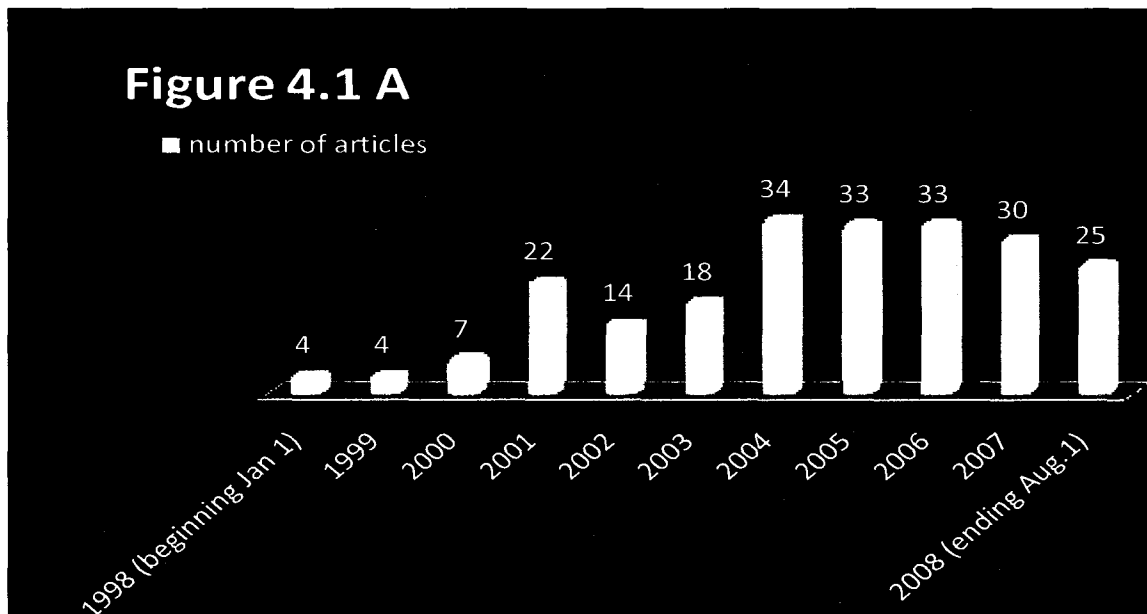
Table 4.1 A

	Number of Articles Collected		
	Number of collected articles	Percentage of total	Average number of articles by month
Toronto Star	95	42.4	0.83
Globe & Mail	61	27.2	0.53
National Post	68	30.4	0.59
Total	224	100	2.0

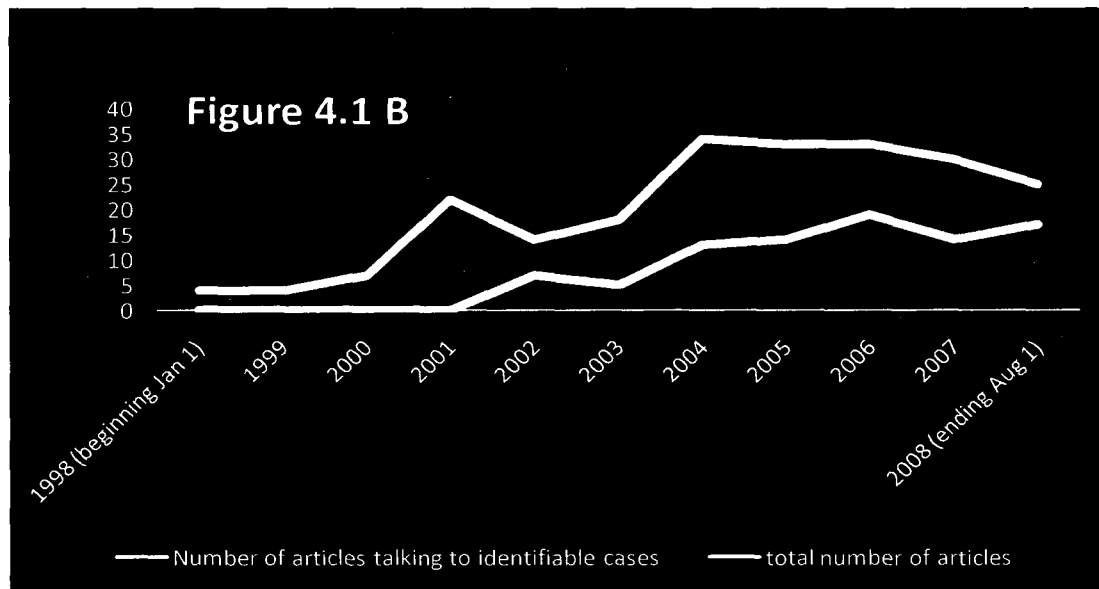
Prior to January 1<sup>st</sup>, 2001, the cumulatively monthly average of ICL related articles was a mere .43 articles per month. Following the 1<sup>st</sup> of January, 2001, the monthly average rose more than 600 percent to 2.7 articles per month. It is possible that the introduction of Bill C-15 within the House of Commons, and the political talk which ushered that induction, sparked an increase in the reporting of ICL topics. The sensational nature of the content makes it particularly marketable (McNair, 1998; Benedict, 1992) and could explain why, once politically acknowledged as requiring legal

deliberation, Toronto-based news media continued to publish related articles at a much higher frequency, well beyond the bill's passage into law (See Figure 4.1 A). While one may contend that post-2002 increases in the reporting of ICL are the result of persons being, for the first time, formally accused of the new offence, it is of significance to note that the publication rate of articles talking to ICL appears to be somewhat autonomous to the rate of articles depicting identifiable persons accused, convicted or sentenced of C.C.C. Section 172.1 offences (See Figure 4.1 B). In spite of the articles content, almost all were deemed highly newsworthy by their respective press.

Number of Articles Published by Year



## Number of Articles Compared to Identifiable Cases



### 4.2 Article Location

The majority of all 224 articles were printed within the first section<sup>39</sup> of the daily paper (173 articles or 77 percent). The National Post appeared the most willing to place such stories ahead of competing news. Ninety-six percent of their ICL narratives appeared within the paper's first section; an emphasis closely followed by The Globe & Mail at 85 percent and The Toronto Star at 66 percent.<sup>40</sup> The significance of the article's placement within the lead section is that it provides a sense of story importance, or at least marketability. Within all three papers the foremost section is not restricted to 'hard news' articles and does include editorials and opinion pieces (letters to the editor, life

<sup>39</sup> The most general section in terms of article content and lead section of the daily paper (usually accounting for the first 15 or so pages).

<sup>40</sup> 7 Toronto Star articles could not be included in their portion of analysis since their section was not indicated.

articles, etcetera). Consequently, the ordering of news narrations is best understood as the deliberate attempt at alluring readers and generating sales.

This favouring of ICL articles within the paper's primary or 'A' section was sustained throughout accompanying segments (i.e. Lifestyle, GTA). While ICL publications were predominantly hard news articles,<sup>41</sup> those of the soft variety, whose section was identifiable, and were located within alternative sections to 'A', where extremely likely (5/6) to be placed within the first 3 pages of their respective partitions. This allotment may again be attributed to the marketability of the topic. It should also be noted that aside from two articles published by The Toronto Star<sup>42</sup>, all other soft news or opinion pieces were printed post March 14, 2001. Of the articles available prior to Bill C-15's opening inauguration, the message is relatively austere: "[b]eware" for the "Internet is no place to let your guard down".<sup>43</sup>

### 4.3 Article Tone

Of the study's 224 articles, 73 portrayed ICL as a 'serious' threat to public safety. Although considerably less than the 148 articles whose tone was defined as neutral, serious toned articles were 24 times more prevalent than those which portrayed the ICL threat as minimal or 'not serious'.<sup>44</sup> Following a somewhat gradual increase in serious

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<sup>41</sup> 203 articles of the 224 total were defined as records and presented news as the factual portrayal of an event as oppose to soft news (i.e. editorials or opinion pieces).

<sup>42</sup> Turner, J. "Only cyber savvy should be surfing". Toronto Star, August 31, 1998: p1; Black, D. "Parents advised to 'netproof' kids". Toronto Star, December 11, 1999: p1.

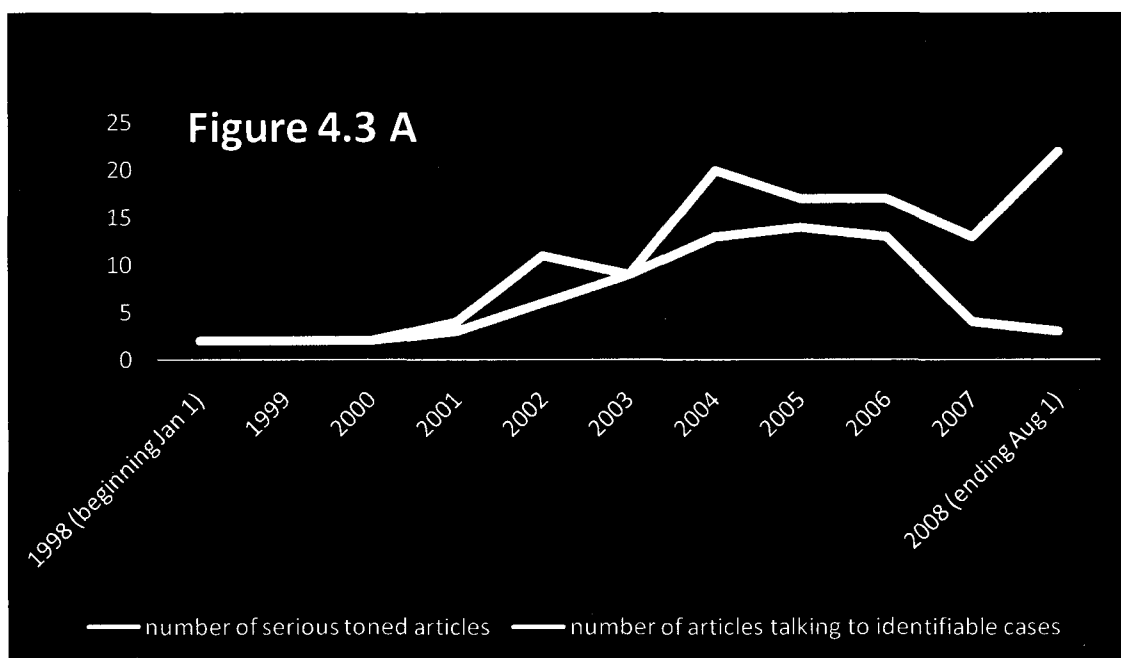
<sup>43</sup> Turner, J. "Only cyber savvy should be surfing". Toronto Star, August 31, 1998: p1.

<sup>44</sup> The papers combined to publish only three articles of a not serious tone (Toronto Star, 1; National Post, 2).

tone rates, beginning in the fall of 2002, serious toned articles peaked in 2005.

Surprisingly this zenith is not related to identifiable ICL case coverage rates (See Figure 4.3 A), nor is it within close proximity to Bill C-15 introduction or the Royal Assent of Bill C-15A. The rise does, however, emulate the popularity growth of social newtwoking sites (Friendster launched in 2002 and Myspace in 2003) and the 2005 release of Facebook's High School Version.

Comparison of Serious Toned Articles to Identifiable Cases



\* Note the inception of Bill C-15 in March of 2001.

Twenty-seven of The Toronto Star's 95 articles were defined as 'serious' in tone. At times presenting un-sourced and highly questionable statistics,<sup>45</sup> the left-centered paper published 4 articles portraying a 'serious' tone and 9 articles in which the tone was 'unknown' between January 1998 and March 2001. This pace seemed relatively

<sup>45</sup> On December 11, 1999, D. Black of the Toronto Star avowed that "[i]n 1998, almost 800 North American children were lured by Internet predators." (p1) This assertion was made despite the fact that no national statistics yet exist on the number of children lured by persons online within Canada and 4 years prior to the release of the only national study of online child victimization in the United States (N-JOV).

unaltered by the introduction of Bill C-15. An analysis of a similar timeframe following the 14<sup>th</sup> March, 2001, (38 months and 14 days) revealed that while the number of published articles rose, the ratio of ‘serious’ toned articles remained stable, shifting less than .82 of a percent (30.76 to 31.57 percent of total publications).<sup>46</sup> A similar analysis of the period before and after Bill C-15A’s Royal Assent would, however, depict an arrogant increase in the prevalence of serious toned articles (24 to 44 percent of total publications).<sup>47</sup> The 20 percent increase may be justified by the government’s now formal belief that ICL is a social problem requiring federal resources.

During the above time periods, 0 articles were identified as presenting ICL as ‘not serious’ in tone. In fact, The Toronto Star published only one article<sup>48</sup> during the 115 month study defined as ‘not serious’. While the author of ‘Child Sex Law’, K. Lewis, provides no source of reference, she does contend the threat of ICL as minimal by asserting that since the 1997 enactment of Canada’s sex tourism law, “which also covers online child luring”, the legislation has been “used only three times so far”. Although the greatest percentage of Toronto Star articles were of a ‘neutral’ tone (67 articles or 71 percent), the gap between those identifying the problem as ‘serious’ and those presenting the issue as of diminutive concern is significant. For while Toronto Star publications appear overwhelmingly in favour of ‘serious’ ICL portrayals, when pored to ‘not serious’ toned articles, there is a strong disconnect between the paper’s ‘serious’ emphasis and its admitted ability to justify the tone. Earlier Star publications advising Canadian parents to

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<sup>46</sup> For The Globe & Mail increases are also observed, 20 to 45 percent. The National Post a decrease 40 to 38 percent.

<sup>47</sup> A much larger shift was observed in The Globe & Mail (serious tone articles raised in prevalence from 10 to 50 percent of all articles published). A 9 percent shift (33 to 42) was observed by the National Post.

<sup>48</sup> Lewis, K. “Child sex law”. Toronto Star, October 17, 2007: pA.12.

“beware”<sup>49</sup> of what “is becoming a more common occurrence”,<sup>50</sup> “a critical issue...of incredible scope”<sup>51</sup> which increasingly has “the word Internet...being heard talking to statements and prosecutors preparing cases”,<sup>52</sup> are later put into context with the admission that “there's no comprehensive Canada research on the prevalence of the [ICL] problem”.<sup>53</sup> This financially lucrative, though questionable, emphasis of fear over supportive fact is not restricted to The Toronto Star. The Globe & Mail, a paper which prides itself on consistently delivering “Canada's best and deepest coverage of national, international and business news” (Globe & Mail, 2008, para1), also presented ICL as an issue of predominantly ‘serious’ concern.

Of its 61 total articles, 36 percent of Globe & Mail publications were identified as ‘serious’ in tone. Asserting caution over the dangers of the Internet,<sup>54</sup> The Globe & Mail describes the “growing problem”<sup>55</sup> of ICL as “extremely dangerous”,<sup>56</sup> “startling...and probably just the tip of the iceberg”.<sup>57</sup> Underlining this ‘serious’ tone is the lack of an opposing view. Although the majority of Globe & Mail articles are ‘neutral’ in tone (39 articles or 64 percent), the threat imbalance existing within its “selective account of reality” (McNair, 1998, p77) is staggering. While unlike The

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<sup>49</sup> Turner, J. “Only cyber savvy should be surfing”. Toronto Star, August 31, 1997: p1.

<sup>50</sup> N.A. “Computer game help kids play it safe on net”. Toronto Star, February 3, 2007: p1.

<sup>51</sup> Orwen, P. “Police, Microsoft team up to fight porn”. Toronto Star, June 3, 2003: pB01.

<sup>52</sup> Mascoll, P. “Parents urged to be wary of Internet porn”. Toronto Star, October 20, 1998: p1.

<sup>53</sup> Powell, B. “targeting those who target children”. Toronto Star, October 11, 2003: pA29.

<sup>54</sup> Mick, H. “Man faces luring, child-porn charges”. Globe & Mail, July 8, 2006: pA9.

<sup>55</sup> Oziewicz, E. “Province gives police \$2-million to fight web exploitation of kids”. Globe & Mail, October 16, 2002: pA20. See also: Freeze, C. “Man lured 15-year-old, police say”. Globe & Mail, July 19, 2003: pA8. See also: Smith, G. “Net-related attack spark police warnings”. Globe & Mail, January 20, 2004: pA9. See also: Mackie, R. “Ontario announces plans to fight on-line porn”. Globe & Mail, October 14, 2004: pA10.

<sup>56</sup> Harding, K. “Edmonton man jailed for luring teen on-line”. Globe & Mail, December 2, 2004: pA9.

<sup>57</sup> N.A. “Anti-child-porn tip line inundated by calls”. Globe & Mail, June 10, 2005: pA8.

Toronto Star or National Post, The Globe & Mail can be praised for its use of N-JOV statistical data,<sup>58</sup> the paper must be condemned for its misrepresentation of that data.

In articles by Foss,<sup>59</sup> Boyd,<sup>60</sup> Koring,<sup>61</sup> Freeze,<sup>62</sup> and an unknown associate,<sup>63</sup> The Globe & Mail accentuated segments of the U.S. Department of Justice's N-JOV study to emphasize the seriousness of ICL. Referring to the study's pronouncement that "approximately one in five youth receive sexual approaches or solicitations from people they encounter online" (Mitchell, Wolak & Finkelhor, 2005, p242), the five articles exclude the authors cautioning that "[s]ome of these solicitations are fairly benign and many originate with other youth" (Mitchell, Wolak & Finkelhor, 2005, p242). Instead the former statement is paired with accounts of adult males who have sexually affronted young female children, in an apparent attempt to exaggerating the commonness of atypical deviance.

Despite being the most in-depth examination of online child victimization, the N-JOV study was incapable of determining the extent of ICL offending. Nor was it able to identify the prevalence of adult sexual interest in children. Yet The Globe & Mail would have its readers, a population it describes as "Canada's thought leaders and taste makers--the people whose opinions influence others" (Globe & Mail, 2008a, para5), believe that 20 percent of all "young people who use the Internet regularly receive unwanted sexual

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<sup>58</sup> 5 of The Globe & Mail's published articles employed facts derived from the N-JOV study.

<sup>59</sup> Foss, K. "Winnipeg man among first charged with Internet luring". Globe & Mail, September 14, 2002: pA9.

<sup>60</sup> Boyd, C. "Girl's abduction exposes extent of Internet luring". Globe & Mail, July 17, 2003: pA1.

<sup>61</sup> Koring, P. "Software teaches children net safety". Globe & Mail, October 1, 2003: pA18.

<sup>62</sup> Freeze, C. "Serial sex offender lured teen on net". Globe & Mail, November 5, 2004: pA8.

<sup>63</sup> N.A. "Lured and assaulted". Globe & Mail, November 26, 2004: pA16.

advances... that involve pedophiles”.<sup>64</sup> Although it did not present statistical data to support its claims of ICL prevalence, aside from an attempt to equate a surge in California’s runaway statistics to increased ICL offending,<sup>65</sup> the National Post at the very least acknowledged that there exists “no broad national statistics on how many teens are lured from home by adults using the Internet”,<sup>66</sup> before publishing paradoxical assertions.

Within the study’s timeframe the National Post marketed 68 articles which, in some manner, talked to Internet Child Luring. Unlike its peers, the paper circulated 2 publications for which ‘not serious’ ICL tones were apparent.<sup>67</sup> Though unique, the above portrayal was drowned-out by 24 articles depicting ICL tones indicative of a serious threat to public safety. Despite openly conceding an inability to support such assertions, Internet Child Luring was, more often than not, described as a “growing scourge”<sup>68</sup> of “pedophiles targeting Canadian kids”<sup>69</sup> from within “our children’s bedrooms of all places”.<sup>70</sup> This presentation of newsroom conjecture as objective truth accentuates Toronto-based media’s, perhaps intentional (Sheley & Ashkins, 1981), failure to justly emulate ICL’s known actuality.

The intent of commercial newsprint is not the portrayal of truthful, accurate, reporting but the attainment of fiscal assets, garnered through the sale of infotainment

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<sup>64</sup> Boyd, C. “Girl’s abduction exposes extent of Internet luring”. *Globe & Mail*, July 17, 2003: pA1.

<sup>65</sup> Abram, S. “Fingers point to blog predators as girls, 13, vanish”. *National Post*, February 27, 2006: pA12.

<sup>66</sup> Bailey, I. “Man charged with abducting B.C. teen had list of girls’ names”. *National Post*, July 26, 2000: pA14.

<sup>67</sup> N.A. “Alberta: Man, 37 charged with luring over the Internet”. *National Post*, March 14, 2003: pA10.

See also: Slade, D. “Live Internet porn charges a first, prosecutor says”. *National Post*, June 8, 2005: pA7.

<sup>68</sup> Blackwell, T. & Jimenez, M. “Net hotline will allow wives to report ‘concerns’”. February 27, 2002: pA7.

<sup>69</sup> Blackwell, T. “Pedophiles target Canadian kids”. *National Post*, May 17, 2004: pA4.

<sup>70</sup> Curry, B. “Child-porn tip site to go national”. *National Post*, January 25, 2005: pA7.

(Howitt, 1998). A quality journalist is, thus, one who does not let the reality of a situation inhibit their ability to construct profitable news narratives. While, as Singer and Endreny (1993) avow, simultaneously observing, selecting and cultivating the most credible of sources, state departments and their administrative staff.

#### **4.4 Article Tone Qualifiers**

With few exceptions and despite its previously-noted dangers, journalists routinely construct news stories around the statements of government officials (Rock, 1973; Reiner, 2000). For the National Post this bias towards constructing reality upon government outlook is no exception (See Table 4.4A). State police, members of parliament, Judges/Justices, and crown prosecutors were amongst the most commonly sourced persons, regardless of article tone.<sup>71</sup> Although the National Post was the most loyal in voicing the opinions of state officials,<sup>72</sup> both The Toronto Star and Globe & Mail displayed similar reporting ideologies.<sup>73</sup> Few articles strayed from police accounts of reality. Extending an “invisible hand of the law” (Ericson, Baranek and Chan, 1989, p139), the dangerous treatment of police constructions as fact, in support of ICL tone constructions.

When mentioned, non-government sources were predominantly Civilian Policing Bodies & Child/Victim Aid Organizations [CPB/COs (i.e. CyberAngles, Beyond

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<sup>71</sup> Of the two articles defined as portraying a ‘not serious’ tone only one referenced a source in presenting its information, a Technology and Internet Crimes Coordinator for Alberta Justice.

<sup>72</sup> 67 percent of all persons/departments sourced were state governed.

<sup>73</sup> 72 percent and 59 percent of all persons/departments sourced were state-governed within both The Toronto Star and Globe & Mail publications respectively.

Borders, Cybertip.ca, Child Find]], sources likely to have a vested interest in ICL's negative public portrayal. During periods of intense communal fear and perceptions of ramped victimization, law enforcement and CPB/COs are better able to pressure the governing state (or alternative managerial bodies) to increase monetary subsidies and/or administrative power. The media's reliance upon organizations likely to benefit from an over-emphasized tone of seriousness, and de-emphasis upon more traditionally impartial sources (i.e. university departments), may in part explain why almost 1/3 of the study's articles came to be defined as 'serious' in tone. It is however, important to again note the media's apparent eagerness to, when possible, misrepresent government data;

Just as the many politicians have stroked public fears about crime and prisoners to serve their own electoral interests, so the news media often cater to and perpetuate the same fears to serve their own commercial interests...and fear sells. (Sussman, 2002, p272)

While dubious, the above assumption would account for the variance between both crime news and statistical research (Howitt, 1998; Thomas, 2000).

Table 4.4 A

Portrayal of Tone Qualifiers  
('serious' tone article numbers are in italics)  
(when present, 'not serious' tone articles are in bold)

	Toronto Star	Globe & Mail	National Post	Total # of articles
Government sources				
State police	52( <i>15</i> )	25(8)	33( <i>13</i> **)	110(36)
Judge/Justice	2(0)	6( <i>1</i> )	9(0)	17( <i>1</i> )
Crown prosecutor	10( <i>1</i> )	4(0)	8*( <i>1</i> )	22(2)
Other government employees/departments (federal, provincial, municipal)	6( <i>4</i> )	7(5)	4(0)( <b>1</b> )	17(9)( <b>1</b> )
Member of parliament (federal, provincial, municipal)	9( <i>1</i> )	4(0)	10(3)	23(4)
	Toronto Star	Globe & Mail	National Post	Total # of articles
Non-government sources				
CPB/Cos	6( <i>1</i> )	8(5)	10(6)	24( <i>12</i> )
Defence counsel	9(0)	3(0)	4(0)	16(0)
Offender	2(0)	1(0)	3(0)	6(0)
Persons known to offender (i.e. family, friends)	3(0)	1(0)	1(0)	5(0)
Victim	1(0)	1(0)	0(0)	2(0)
Persons known to victim (i.e. family, friends)	2(0)	4(0)	3(0)	9(0)
Microsoft/MSN/MySpace/Facebook/Software Companies	3(1)	2( <i>1</i> )	3(0)	8(2)
University department/professor	2(0)	2(0)	1(0)	5(0)
Independent polling surveys	1( <i>1</i> )	3( <i>1</i> )	0(0)	4(2)
'Experts' (as identified by the article's author)	1( <i>1</i> )	2( <i>1</i> )	4(2)	7(4)
Miscellaneous - persons or independent organizations sourced throughout the study, whose presence within articles was more sporadic than those mentioned (i.e. medical doctors, private citizens, religious spokespersons)	4(1)	3(3)	4(0)	11(4)

\*\*\*Of the three 'not serious' tone articles only one references an external source.

\*\*One article was included within this calculation for it was written by a person identified as a police officer.

\*One article was included within this calculation for it sourced an ex-crown prosecutor.

#### 4.5 Article Focus

Each of the three newspapers, talked primarily of offending persons when reporting on ICL (See Table 4.5 A). For the most part, such reporting was neutral in its characterization of the focal object or tenor (59 percent), although a relatively high portion of offender focused articles were negative (38 percent). Slightly more devoted to the pessimistic portrayal of ICL offenders, the National Post equalled the positive rendering of ICL victims expressed by its peers. Overall victim focused articles displayed an even tenor distribution. A realization that appeared initially uncanny. However, the tenor allotment is supported by later noted victim characterizations of age deception and offence participation or ‘willingness’.

All three papers supported civilian-based policing efforts; 67 percent of articles with such a focus displayed tenors defined as positive. More likely to be portrayed favourably than the state police, civilian-focused articles were almost 4 times less prevalent than their government counterparts. Despite being identified as an ICL focus in 72 articles, state law enforcement was not once portrayed negatively (i.e. ineffective, poorly organized, or unskilled), a rendering in almost direct contrast to the prevailing tenor of court-focused articles.

Courts were the most likely article focus to be negatively construed. In 86 percent of its court-focused publications, the National Post characterized the justice branch poorly. A trend repeated, albeit to a lower extent, by the remaining two papers.

Government-focused articles would fare slightly better than their judiciary counterparts; 33 percent of articles focused upon the federal or provincial government were optimistic in tenor.

The trend of disfavoured courts, praising state police and CPB/COs, while expressing an assortment of government praise and disdain is to be expected. Able to provide access to physical localities and informed personnel (Miller & Riechert, 2000), the appeasement of state law enforcement and CPB/COs is of particular consequence to news media. While both factions benefit from a positive relationship,<sup>74</sup> there can be little doubt that a withdrawal of support, by either state or civilian bodies, would considerably diminish the media's access to socially 'credible' information (Sigal, 1973; Reiner, 2000; Curran, 2002). A result not so directly linked to the appeasement of the governing elect. This emphasis on and praise of police and CPB/COs sources, in relation to ICL reporting, further substantiates a functional dependence. The absence of which apparently validates the more cynical, and arguably accurate, portrayal of federal and provincial courts.

Unlike state law enforcement and CPB/COs, the courts (judges/justices/crown prosecutors) are less dependent on the media in advancing organizational ventures (Ericson, Baranek & Chan, 1989). The press is also less reliant on court-based sources, and this air of indifference or apathy towards a durable bond may account for the more critical approach to courtroom reporting. The offender's role within this hierarchy of information providers is even less de rigueur, justifying their aforementioned tenor; a

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<sup>74</sup> The police are given a forum for public persuasion and (Bennett, 2007, p75) in exchange for information pertaining to the actions of suspected persons.

general drift of negatively slanted remarks complying with news media goals of infotainment (Soothill & Walby, 1991).

Able to best project seeming validated fear and, thus, entertainment (Altheide, 2002), it is the actions of offenders which give significance to most crime news narrations (See Table 4.5A). While it would also be fearsome to depict the incompetence of state law enforcement or CPB/COs, such portrayals are likely of greater consequence to an industry depend upon the allotment of information by persons 'in the know' (Ettema, Whitney & Wackman, 1997; Ericson, Baranek & Chan, 1991; Miller & Riechert, 2000). By focusing on offender conduct, the press can maximize consumer shock and/or entertainment in relative safety. Few will object to the demonizing of child molesters, regardless if some assertions exceed known truths.

Table 4.5 A

## Article Focus and Tenor

Article Focus	Toronto Star	Globe & Mail	National Post	Total # of articles
Federal/Provincial government (positive)	7	5	6	9
Federal/Provincial government (negative)	3	2	3	6
Federal/Provincial government (neutral)	11	5	4	12
Federal/Provincial courts (positive)	0	2	0	2
Federal/Provincial courts (negative)	1	3	6	10
Federal/Provincial courts (neutral)	2	2	1	4
<b>State police (positive)</b>	<b>7</b>	<b>6</b>	<b>6</b>	<b>19</b>
<b>State police (negative)</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>State police (neutral)</b>	<b>29</b>	<b>11</b>	<b>13</b>	<b>53</b>
CPB/COs (positive)	2	5	5	12
CPB/COs (negative)	1	0	0	1
CPB/COs (neutral)	1	2	3	6
<b>Offender (positive)</b>	<b>1</b>	<b>0</b>	<b>4</b>	<b>5</b>
<b>Offender (negative)</b>	<b>18</b>	<b>14</b>	<b>19</b>	<b>51</b>
<b>Offender (neutral)</b>	<b>40</b>	<b>18</b>	<b>21</b>	<b>79</b>
Victims/potential victims (positive)	1	1	1	3
Victims/potential victims (negative)	0	1	2	3
Victims/potential victims (neutral)	14	6	6	26
Persons known to victim (positive)	0	0	0	0
Persons known to victim (negative)	0	0	0	0
Persons known to victim (neutral)	6	2	1	9
Person known to offender (positive)	0	0	0	0
Person known to offender (negative)	0	0	0	0
Person known to offender (neutral)	0	1	0	1
Other (positive)	0	0	0	0
Other (negative)	0	0	0	0
Other (neutral)	1	0	0	1
Unknown*	1	0	1	2

\*Focus was unable to be determined in 2 of the study's 224 articles<sup>75</sup>.

<sup>75</sup> N.A. "Computer game helps kids play it safe on net". Toronto Star, February 3, 2000: p1. See also: Ford, C. "Computers in the classroom are great, but no replacement for imagination". National Post, March 24, 2001: pA14.

## 4.6 Portrayal of Offenders

Portrayed as an early-to-mid 30's male,<sup>76</sup> devoid of prior criminal conviction,<sup>77</sup> and of unknown race,<sup>78</sup> the characterization of ICL offenders is resoundingly similar across the examined print media. Comparable N-JOV figures, previously referenced characterizations of sex and age, indicate news rendering were also within pre-research approximations [male offenders, 26-39 years of age (Wolak, Finkelhor & Mitchell, 2004; Mitchell, Wolak & Finkelhor, 2005)]. Although ICL “predator(s) could be anyone”,<sup>79</sup> when noted these persons were most-often employed as teachers or educational instructors (See Table 4.6 A). Normalizing roles that contrast passed assertions advocating offender abnormality; “in all the newspapers... ‘ordinary’ people do not commit sex crimes” (Greer, 2003, p185).

Table 4.6 A

### Number of Articles Indicating Offender Occupation

	Offender occupation
Toronto Star	Teacher/instructor (3); pastor (2); computer technician (5); Military officer (1); truck driver (1); librarian (1); jockey (1); reporter (1)
Globe & Mail	Teacher/instructor (1); Business/ Salesman (3); Pastor (1); Military officer (1); writer (1); politician (1); unemployed (1)
National Post	Teacher/instructor (4); pastor/priest (2); police officer (3); student (3); business/salesman (2); paediatrician (1); engineer (1); Limousine driver (1); city mayor (1)

<sup>76</sup> The average age of persons suspected, convicted, or sentenced for an ICL-related offence by The Toronto Star was 34 years of age, 24 months the elder to The Globe & Mail 's 32 year old average and 12 months the junior to the 35 year old average described by the National Post.

<sup>77</sup> No Toronto Star articles talked to identifiable persons suspected, convicted or sentenced for an offence definable as ICL as having a criminal past (3 articles did note offenders as having no criminal histories). Only 3 Globe & Mail articles showed identifiable ICL-related persons as having a criminal history (2 articles did talk of offenders as having no criminal histories). 4 National Post articles identified ICL-related persons as having prior convictions for illicit behaviour.

<sup>78</sup> No articles talked to the race of persons suspected, convicted, sentenced or acquitted for an ICL-related offence in any of the study's 224 articles.

<sup>79</sup> Black, D. “Predator could be anyone”. Toronto Star, March 10, 2003: pE01.

Despite the lack of many articles to specify offender occupation, it should be noted that only two articles characterized persons involved in ICL offending as unemployed<sup>80</sup> or financial dependents.<sup>81</sup> Based on the above, one may conclude that offenders were typically displayed as having some means of financial autonomy and the mental aptitude to sustain such autonomy. As previously noted, N-JOV research depicting offenders as high school educated and employed at the time of the offence support the portrayal (Wolak, Finkelhor & Mitchell, 2004; Mitchell, Wolak & Finkelhor, 2005). This image of offenders as intellectually independent, calculating, adults is again furthered by the lack of any article to identify ICL offenders as suffering from a mental ailment or disability that would relieve them of criminal liability. Although 2 articles<sup>82</sup> did identify ICL-acquitted Jason Wright as suffering from a physical disability (deformation of both his forearms and hands) and a third article described ICL-accused Kelly Ann Laird as suffering from a gender identity disorder, attention deficit syndrome and borderline personality disorder,<sup>83</sup> the mention of deficiencies (physical or psychological) did not transcend the 3 articles. That is, however, with the exception of 'pedophilia'.

Twenty-seven of the study's 224 articles indiscriminately identified ICL offenders as pedophiles.<sup>84</sup> Although one article<sup>85</sup> did note that not all child sex offenders are pedophiles and a second sourced a crown psychiatric assessment in justifying the term's

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<sup>80</sup> Black, D. "Predator could be anyone". Toronto Star, March 10, 2003: pE01.

<sup>81</sup> Teotonio, I. "Child porn fighter or user?". Toronto Star, April 9, 2008: pA9.

<sup>82</sup> Lunman, K. "Trial over, disabled man wants to stay in Canada". Globe & Mail, February 10, 2001: pA8. See also: Alphonso, C. "Internet pen pal sent to face justice in U.S.". Globe & Mail, February 13, 2001: pA7.

<sup>83</sup> Josey, S. "Woman gets 16 months in sex assault". Toronto Star, November 11, 1999: p1.

<sup>84</sup> Toronto Star, 9 articles; National Post, 8 articles; Globe & Mail, 10 articles.

<sup>85</sup> Black, D. "Predator could be anyone". Toronto Star, March 10, 2003: pE01.

employment,<sup>86</sup> the appellation was often used to describe persons believed to have or convicted of having committed an ICL or related offence. Akin to the work of Courvoisier (2008) and Tate (1990), the term appears to have been use in confusion with ‘child molesters’.

Defined within the DSM as a paraphilia characterized by “recurrent, intense sexually arousing fantasies, sexual urges, or behaviours involving sexual activity with a prepubescent child or children (generally age 13 years or younger)” (American Psychiatric Association, 1994, 528), a diagnosis of pedophilia does not render one criminally irresponsible of their actions.<sup>87</sup> Adhering to this understanding and echoing noted research (Courvoisier, 2008; Lerin, 2004; Holmes & Holmes, 2002), the papers portrayed ICL offenders as rational,<sup>88</sup> savvy,<sup>89</sup> legally sane individuals capable of sophisticated thought.<sup>90</sup> Persons one would describe as employing judicious logic,<sup>91</sup> albeit of a predatory and deceitful demeanour.<sup>92</sup>

Fifteen percent of the study sample identified offenders as employing deception (i.e. in regards to age, physical appearance, gender, sexual orientation, occupation) in

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<sup>86</sup> O’Neill, J. “man who lured girl, 10, on-line faces dangerous offender application”. National Post, February 24, 2005: pA4.

<sup>87</sup> Pedophilia has been considered ‘non-psychotic mental disorder’ since the 1968 American Psychiatric Association’s ratification of the DSM-II.

<sup>88</sup> Blackwell, T. “Pedophiles target Canadian kids”. National Post, May 17, 2004: pA4.

<sup>89</sup> Mick, H. “High-tech on-line predators a growing threat, police say”. Globe & Mail, August 14, 2006: pA11.

<sup>90</sup> Turner, J. “Only cyber savvy should be surfing”. Toronto Star, August 31, 1998: p1.

<sup>91</sup> Mick, H. “High-tech on-line predators a growing threat, police say”. Globe & Mail, August 14, 2006: pA11.

<sup>92</sup> 64 articles described ICL-related offenders as predators or stalkers (National Post, 19; Globe & Mail, 19; Toronto Star, 26).

attempts to recruit online victims. In comparison, only 3 articles<sup>93</sup> talked of offenders as being open and/or honest, in relation to either age or appearance. Thus, although 1 article published by The Globe & Mail and sourcing an unnamed survey did assert that “70 percent of [ICL] offenders did not lie about their age”,<sup>94</sup> the vast majority of publications addressing the issue depicted offenders as persons who lure their victims through mendacity.<sup>95</sup> One article went so far as to define luring as “occurring when a sexual predator pretends he is someone else by establishing an online identity and entices children into meeting”.<sup>96</sup> While comforting to assume that a child’s involvement in such a relationship is the result of misapprehension, this emphasis is in contradiction with contemporary research (Wolak, Finkelhor & Mitchell, 2004; 2008). As is the media’s portrayal of offender motivation.

#### **4.6.1 Portrayal of Offender Motivation**

Although 89 of the study’s articles talked of child pornography, the majority did not link the material to ICL offending. As mention beforehand, the affirmation of such a link would be in stark opposition to prevailing research (Corriveau & Fortin, forthcoming 2009; Seto, Maric & Barbaree, 2001). Still, 7 articles<sup>97</sup> did append contact offending to

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<sup>93</sup> Kohler, N. “Ajax pastor charged with luring girl over the Internet”. National Post, August 11, 2005: pA12. See also: Lai, T. “Ajax pastor charged with luring child for sex”. Globe & Mail, August 11, 2005: pA.9. See also: Naili, H. & Josey, S. “Pastor faces sex charges”. Toronto Star, August 11, 2005: pA14.

<sup>94</sup> Makin, K. “Squeamish judge blamed in child-porn case”. Globe & Mail, October 26, 2006: pA11.

<sup>95</sup> See: Freeze, C. “Serial sex offender lured teen on net”. Globe & Mail, November 5, 2004: pA8. See also: Henry, M. “A keystroke from danger”. Toronto Star, February 21, 2008: pL1. See also: Agrell, S. “Girl 14, forced into prostitution in Peel”. National Post, August 4, 2004: pA6.

<sup>96</sup> Fantino, J. “Walking the Internet beat”. National Post, May 1, 2007: pA23.

<sup>97</sup> The Toronto Star, 5 articles; The Globe & Mail, 2 articles; National Post, 0 articles (however 2 articles did talk to both sides of the debate - Bladwin, D. “CyberAngles hunt down paedophiles on the Net”.

child pornography viewing. Cautioning that “sexual predators...start out with behaviour like peeping...then...progress to rape and, sometimes, murder”,<sup>98</sup> the studied press build upon these misconception through assertions that “[t]here is a connection, without a doubt, between child porn users and Internet luring...Not every man who collects and uses child porn will physically abuse children. But a very high portion will”.<sup>99</sup> Such claims would eventually climax in a January 2008 publication, in which the Star defined ‘online luring’ as a “child pornography-related” offence.<sup>100</sup>

Despite lacking substantive causal support (Corriveau & Fortin, forthcoming 2009), the paring of child pornography to newsprint constructs of ICL is central to the successful endorsement of its ‘social problem’ status. The finite marketplace in which one may cart social problems encourages claims-makers to structure claims within pre-existing notions of importance and fear (Hilgartner & Bosk, 1988). Thus, the paring of ICL to child pornography, which itself was paired to the larger issue of child sexual abuse (Quayle & Taylor, 2003), is to be expected by commercial organizations likely to benefit from successful social problem marketing; the alignment supports the transfer of past anxiety to new social phenomenon, making for entertaining, profitable, narratives. ICL is, consequently, sold as a further extension of what has been construed as a “growing avalanche”<sup>101</sup> of child pornography trade and contact sexual abuse (See Lööf, 2005; McCabe, 2000; McCulloch, 2005; Schell, Martin, Hung & Rueda, 2007).

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National Post, February 18, 1999: pB9. See also: N.A. “An evil beyond the law”. National Post, June 21, 2004: pA11).

<sup>98</sup> Henry, H. “A keystroke from danger”. Toronto Star, February 21, 2008: pL1

<sup>99</sup> Black, D. “Predator could be anyone”. Toronto Star, March 10, 2003: pE01.

<sup>100</sup> N.A. “GTA”. Toronto Star, January 19, 2008: pA10.

<sup>101</sup> Baldwin, D. “CyberAngles hunt down pedophiles on net”. National Post, February 18, 1999: pB9.

#### 4.7 Sexual Contact Offences

Twenty-four discernable persons, engaging in 23 of the study's 77 Identifiable cases, were reported to have had sexual contact with their victims.<sup>102</sup> However, of these 77 cases, representing 78 distinct persons,<sup>103</sup> only 42 involved 'real' as oppose to factitious (police posing) victims. Consequently, 55 percent of all cases in which offenders communicated with young persons over the Internet, in an attempt to commit a sexual offence, resulted in some form of sexual contact between the parties. Surprisingly, due to the media's emphasis on serious toned articles, this percentage is lower than N-JOV statistics indicate [the 2002 study identified a 68 percent likelihood of sexual contact between victims and their offenders (Wolak, Mitchell & Finkelhor, 2005)]. The probability that this contact was the result of physical violence is also at odds with pre-existing research.

Four of 23 identifiable cases (17 percent) involved the threat or use of physical force to facilitate sexual contact. While this portrayal of aggression is 3 times greater than N-JOV's 5 percent approximation (Wolak, Mitchell and Finkelhor, 2005), Toronto-based papers also apportioned 9 percent of contact offence depictions as committed via the assistance of an inebriating substance. Though research pertaining to the role of drugs and/or alcohol in ICL related offending is lacking, news media's allegation that 26

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<sup>102</sup> The Toronto Star talked to 14 different ICL related incidents in which there was sexual contact between the victim and offender. In comparison The Globe & Mail talked to 11, while the National Post spoke to 13.

<sup>103</sup> One case was jointly committed by two male persons (Loyie, F. "Girl, 16, raped after Internet meeting police say". National Post, May 23, 2002: pA8). This incident was the study's only mention of an ICL offence involving more than one offender.

percent of Internet initiated adult-child sex results from physical debility seems somewhat exaggerated (See Wolak, Mitchell & Finkelhor, 2005; Wolak, Finkelhor & Mitchell, 2004). The portrayal of offender gift giving is also misleading (the offering and/or giving of gifts to induce sexual compliance was underscored, mention in only 5 identifiable cases, despite the assertion of a 47 percent probability by Wolak, Finkelhor and Mitchell, 2004).

By amplifying a more forceful portrayal of adult-child sex, print media is able to simultaneously accentuate the malevolence of ICL offenders and purity of their victims (See Victims 4.9). Constructing the issue as a more ominous social problem, this disparity recurrently justifies the issue's 'newsworthiness' (Davidson, Boylan & Yu, 1982). Images of forced sex and police sting operations provide the obligatory entertainment required for known events to be re-assembled as news (Surette, 1992; Singer & Endreny, 1993).

#### **4.8 Solicitations to Undercover Law Enforcement (SULE)**

Thirty identifiable cases involved police posing as fictitious children,<sup>104</sup> the majority of which were reported by The Toronto Star; the paper recounted 21 incidents of police posing, representing 46 percent of its 46 distinguishable ICL cases. When combined, Toronto-based media presented 40 percent of all identifiable arrests, for which victim status could be branded real or illusory, as involving persons sexually soliciting

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<sup>104</sup> This number excluded 1 case which involved a newspaper posing as a child and 4 cases which did not specify whether the victim was real or illusory.

undercover law enforcement officials.<sup>105</sup> Adjoined to the exceedingly positive portrayal of state police, calls to increase operational funding budgets (See 4.10 Proposed Solutions) and the lack of any article to address SULE's as unconstitutional or themselves illicit (i.e. entrapment), Toronto-based newsprint can be said to present undercover operations as favourably contributing to online regulation. A reporting trend which ceases to exist when examining the number of SULE convictions.

Within the studied timeframe (115 months), only 9 of the 30 identifiable SULE cases resulted in conviction. A point which contests Mitchell, Wolak and Finkelhor's (2005, p241) assertion that the "[p]rosecution of these cases produce high rates of guilty pleas and low rates of dismissed or dropped cases". Identifiable cases involving real victims accounted for greater rates of conviction (38 percent) than solicitations to undercover state officials emulating ideal victim typologies (30 percent).

During undercover operations police habitually presented themselves as 12-13 year old females. Although two cases involved police posing as the parental guardians of 4 and 10 year old girls,<sup>106</sup> not one identifiable indictment involved police posing as a male child. While the female emphasis does coincide with both N-JOV statistical data (Wolak, Finkelhor & Mitchell, 2004) and Toronto-based media's presentation of persons likely victimized by ICL (See 4.9 Portrayal of Victims), it presents a complete

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<sup>105</sup> The 40 percent was derived by excluding 2 of the 78 persons whose investigation did not result in arrest (one of which involved police posing) and 4 cases which did not specify whether the victim was real or illusory ( $29/72 = 40.27$ ). In comparison, cases depicting the victimization of a real child accounted for 59.72 percent of ICL arrests.

<sup>106</sup> Pooley, E. "Man, 33, accused of luring 4-year-old on Internet". *Globe & Mail*, May 18, 2004: pA13. See also: Doolittle, R. "Ontario trucker guilty in Atlanta". *Toronto Star*, March 17, 2006: pA14.

absence of police attempts to capture persons who would employ a computer system to solicit underage males. According to N-JOV statistics, this population represents 25 percent of children victimized by Internet initiated sex crimes (Wolak, Finkelhor & Mitchell, 2004).

#### **4.9 Portrayal of Victims**

ICL victims were characterized as predominantly female, 12 - 13 years of age,<sup>107</sup> uninhibited by psychosomatic impairment,<sup>108</sup> and of unknown race<sup>109</sup> or economic background.<sup>110</sup> Comparable N-JOV figures, previously referenced characterizations of age and sex, indicate media portrayals were within pre-research approximations [female persons, 13 - 15 years of age (Wolak, Finkelhor & Mitchell, 2004)]. However, the reporting of crime news is rarely intended to be truthful or coalesce with state funded research (Sheley & Ashkins, 1981; Howitt, 1998; Thomas, 2000).

Twelve of the studied articles specifically characterized ICL victims as non-voluntary, defenceless and/or unsuspecting participants in their abuse.<sup>111</sup> Eleven articles also described child victims as having misrepresented themselves, as older, to offending

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<sup>107</sup> Toronto Star 12.9 years; Globe & Mail 12.1 years; National Post 12.8 years.

<sup>108</sup> One article described the victims as suffering from mental disability, autism (Harding, A. "Edmonton man jailed for luring teen on-line". Globe & Mail, December 2, 2004: pA9).

<sup>109</sup> None of the 224 articles identified race in their narration of ICL victims.

<sup>110</sup> None of the 224 articles identified the victim's economic family background (i.e. yearly income).

<sup>111</sup> Millar, C. "Doctor issues sex-abuse alert". Toronto Star, September 24, 2003: pA22. See also: N.A. "An evil beyond the law". National Post, June 21, 2004: pA11. See also: Koring, P. "Software teaches children net safety". Globe & Mail, October 1, 2003: pA18.

person(s).<sup>112</sup> Although playing ‘adult’ is not uncommon amongst adolescences, 8 articles portrayed victims as in some way willingly engaging in their victimization, beyond the mere fallacious representation of age. Despite the seemingly high portrayal of victim assisted offending, N-JOV statistics suggest this number is far to low to be construed as accurate.<sup>113</sup> Nevertheless, The Toronto Star did, for example, talked to how a “Belgian man and a smitten 13-year-old girl planned to settle in a Amish community in Ontario where they believed no one would question their 20-year age difference...the teen forged a note from her mother saying she had a medical appointment and wouldn’t be returning to class”;<sup>114</sup> The Globe & Mail portrayed a “boy [victim] as so determined to join the Dutch man [his offender], his family requested the federal government not issue him a passport”;<sup>115</sup> in a year 2000 article, the National Post asserted the victim “went willingly with the man [her offender]...she knew he was in his 20s”.<sup>116</sup> Their relationship lasted three months.

The majority of articles presented victim/offender relations as persisting a number of months. Sixty-one percent of news narratives mentioning length talked to relationships in such intervals, a finding supported within the literature (Wolak, Finkelhore & Mitchell, 2004). During such liaisons, only 10 percent of the 77

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<sup>112</sup> Kari, S. “Man who lured girl, 11, gets no extra jail time”. National Post, November 25, 2004: pA8. See also: Banerjee, S. “Belgian man, Quebec girl had plan to hide out, court told”. Globe & Mail, June 21, 2008: pA6. See also: Levy, H. “Internet luring sentence sparks outrage”. Toronto Star, November 5, 2004: pB05.

<sup>113</sup> 73 percent of youths who physically met with a male offender continue to do so (20 percent lived together at some point) in relationships where there exists only a 5 percent likelihood of violence and a 16 percent probability of sexual coercion (Wolak, Mitchell & Finkelhor, 2005).

<sup>114</sup> Banerjee, S. “Man, 32, pleads guilty to luring 13-year-old”. Toronto Star, June 21, 2008: pA22.

<sup>115</sup> Oziewicz, E. “Province gives police \$2-million to fight web exploitation of kids”. Globe & Mail, October 16, 2002: pA20. See also: Boyd, C. “Girl’s abduction exposes extent of Internet luring”. Globe & Mail, July 17, 2003: pA1.

<sup>116</sup> Bailey, I. “Man charged with abducting B.C. teen had list of girl’s names”. National Post, July 26, 2000: pA14.

identifiable cases involved forms of communication other than the Internet (6 involved the use of a phone, 2 the use of traditional mail). This point contests N-JOV approximations that 79 percent of ICL cases evolve to incorporate telephone conversations, while 19 percent employ traditional mail as an alternative to online chat (Wolak, Finkelhore & Mitchell, 2004). The direction of divergence from past findings (understating as appose to exaggerating) is somewhat unexpected. It is believed that emphasizing the use of alternative, arguably more intrusive, means of personal communication would enhance public anxiety surrounding ICL. Thus, the exclusion of such information does not appear to coalesce with the infotainment aspirations of commercial news (Barlow, Barlow & Chiricos, 1995; Howitt, 1998). Access to such information may, however, account for the disparity, surpassed only by a de-emphasized rendering of victim/offender love.

Only 2 identifiable cases portrayed ICL victims as loving or ‘in love’ with their respective offender. When assessed against state research, which predicts an almost equal split between victims who proclaim love for their offender and those who do not (Wolak, Finkelhor & Mitchell, 2004), print news’ portrayal appears grossly idealistic. Despite the press’s acknowledgement that “sixty percent of victims say they felt ‘love’ for their offenders”,<sup>117</sup> this view cannot be found within the media’s standard portrayal of ICL. A rendering which also ignores the veracity of research asserting that not all acts of child sexual abuse produce harms (Zuriff, 2000) which are lasting (Jenkins, 1998). Though 1 article confessed “it is hard to determine what kind of impact this will have in

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<sup>117</sup> Makin, K. “Squeamish judges blamed in child-porn cases”. Globe & Mail, October 26, 2006: pA11.

the future”,<sup>118</sup> the remaining 5, which discussed the harm caused to ICL victims, described the experience as ‘serious’<sup>119</sup> or ‘life shattering’.<sup>120</sup>

Having accentuated the extent of victim trauma and renderings of defenceless non-voluntary youth, news media has increased the perceived morality of the underage victim. Within Best’s (1995) melodramatic moral order, it is the ethically pure who are deserving of sympathy and protection. Thus, while children may be “the most vulnerable of the vulnerable”,<sup>121</sup> the portrayal of a defensive child is more deserving of compassion than Abraham’s (1927) ‘seductress’. The former description also magnifies the condemnation of ICL offenders, whose depiction as calculating fiends justifies the negative tenor the Toronto media attributes to them. This blending of victim purity and offender malevolence propels social problem claims throughout the social problem marketplace, dragging along a selected few proposed solutions.

#### **4.10 Proposed Solutions**

Collectively, the three papers supported 9 means of possible primary prevention, the most popular of which was increasing the budget, equipment and/or number of law enforcement officials policing the ‘problem’ (See Figure 4.10 A). Subsequent to the rational portrayal of ICL offenders, this proposal is not unforeseen and, to some extent, is espoused within literary text (Mitchell, Wolak & Finkelhor, 2005; Huey, 2002). In order

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<sup>118</sup> Kari, S. “Man who lured girl, 11, gets no extra jail time”. National Post, November 25, 2004: pA8.

<sup>119</sup> Josey, S. “Woman gets 16 months in sex assault”. Toronto Star, November 11, 1999: p1.

<sup>120</sup> Luymes, G. “Ex-mountie’s prison sentence draws outrage”. National Post, April 20, 2007: pA10.

<sup>121</sup> Curry, B. “Child-porn tip cite to go national”. National Post, Jan 25, 2005: pA7.

to prevent “the fatal effects of private interests” (Beccaria, 1983, p27) one must augment the imbalance in cost/benefit analysis, so as to discourage “society’s most dangerous offenders”.<sup>122</sup> Adhering to Beccarian logic, the certainty of capture becomes paramount to a cost favouring inequality and increased investment in law enforcement resources is of likely consequence. Although consistent with newsprint portrayals of ICL offending, the preventative emphasis is still likely to prove ineffective as a lone means of deterrence, due either to previously mentioned technological restrictions (Denning & Baugh, 1999), the Internet’s size (Wortley & Smallbone, 2006; Gakenbach, 1998; Yar, 2005) or currently lacking global support (Brenner, 2007). When divided, only The Globe & Mail maintained the solution as its most positively talked-to option. The Toronto Star was largely in support of increased parental monitoring of online children. The National Post, in comparison, equally favoured increased net governance and the development of new or clarification of current ICL legislation. The later of which exemplifies a shift in Bill C-15A’s news media construct, pre and post-June 2002.

A dissection of the study’s government-focused articles, so as to isolate those talking to the implementation of the current legislation prior to Bill C-15A’s Royal Assent, would exhibit a complete absence of negative tenor. Not one of the 19 articles centered upon the federal government’s pre-June 2002 anti-luring proposal was pessimistically construed. Although The Globe & Mail spoke most promisingly of the Bill’s ICL focus, 3 of 5 articles published by the National Post presented the government

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<sup>122</sup> N.A. “Making society safer”. Toronto Star, May 23, 2005: pA16.

positively when talking to the now current legislation.<sup>123</sup> Following Bill C-15A's Royal Assent, this support would ebb.

Of the five post-2002 government focused articles addressing the now current anti-luring legislation, none offered a positive tenor. The once praised reform<sup>124</sup> had been reconstructed as 'panic legislation', characterized by "poor conception and drafting, overly broad scope, and inadequate consideration of likely side effects" (Jenkins, 1998, p6). Typifications which prolong ICL's social problem status by ensuring the financially lucrative dilemma appeared unresolved. Reassessed "Canada's murky Internet luring law"<sup>125</sup> was now inept, allowing "predators [to take]...advantage of gaps in the legislation",<sup>126</sup> despite "the growing number of Internet-related arrests of child pornographers and pedophiles".<sup>127</sup>

By Toronto-based newsprint's own account, approximately 2 persons are convicted of a section 172.1 offence each year. Although 51 of the 77 identifiable cases talked of persons charged contrary to Section 172.1, 6 years since Bill C-15A's Royal Assent only 13 ICL accusations were proven to be of verity (5 of which involved police posing). While it may be argued that flaws in the judicial system and courtroom backlogs have slowed legal process or allowed for guilty persons to be unduly discharged, conviction rates provide a clearer (more accurate) depiction of offence occurrence than a

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<sup>123</sup> The remaining 2 articles were neutral in tenor.

<sup>124</sup> Chwialkowska, L. "Ottawa to create new Internet law to protect children". National Post, September 12, 2000: pA5. See also: Naumetz, T. "Law will target pedophiles who lure via Internet". National Post, March 15, 2001: pA4. See also: N.A. "Net luring law set to be tabled in March". February 22, 2001: pT2.: See also: N.A. "British Columbia". February 16, 2001: pA07.

<sup>125</sup> Prudy, C. "Ruling to clarify luring law". National Post, March 31, 2006: pA6.

<sup>126</sup> Prudy, C. "Internet sex chat with girl 'not luring'". National Post, April 1, 2006: pA2.

<sup>127</sup> Mascoll, P. "Parents urged to be wary of Internet porn". Toronto Star, October 20, 1998: p1.

summation of police charges. The relatively small number of Section 172.1 convictions may be of indication that current ICL legislation is feeble or simply that the problem is not as pervasive as Toronto-based journalists assert. Yet again “leaving Canadian children exposed to a range of lurid behaviour on the Internet”,<sup>128</sup> re-investing in government policy was supported less, as sustainable means of primary prevention, than the edification of at risk youth.

Ten articles, deriving equally from both The Toronto Star and Globe & Mail, supported child education as a means of primary prevention. Of the 10, only 1 article insisted that we provide better sex education to children while informing them as to the dangers of engaging in sexual relationships with adult persons,<sup>129</sup> The remaining articles, when specified, spoke to general themes of online safety<sup>130</sup> and offender detection.<sup>131</sup> Lacking to adequately underscore the need for both sexual and emotional based health programming, the media’s approach to education seems ill-prepared to address its own characterizations of ICL. A reality exemplified by a 55 percent probability that young persons, sexually solicited by online offenders, will engage in some form of sexual conduct with adult persons whom they have meet face-to-face. 81 percent of these sexual encounters will not involve the use or threat of physical force.

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<sup>128</sup> Hanes, A. “Ruling may leave children at risk”. National Post, April 5, 2006: pA12.

<sup>129</sup> Picard, A. “From 14 to 16: What does raising the age of consent accomplish?” Globe & Mail, May 8, 2008: pL8.

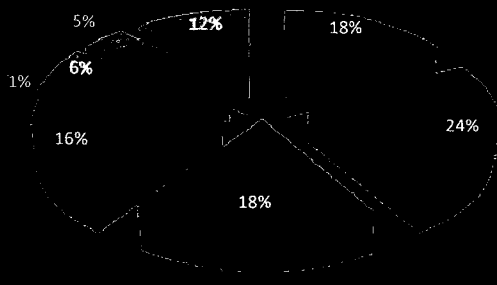
<sup>130</sup> N.A. “Computer game helps kids play it safe on net”. February 3, 2000: p1.

<sup>131</sup> Koring, P. “Software teaches children net safety”. Globe & Mail, October 1, 2003: pA18.

## Primary Means of Prevention as Supported by Toronto-based Media

Figure 4.10 A

- increased monitoring of the internet
- provide more money/equipment/officers to police services
- increased parental supervision of online children
- new legislation or clarification of current legislation
- counsel those attracted to children
- tougher sentences
- police co-operation
- increased child education



## **CONCLUSION**

Having briefly outlined the history of child sexual abuse and presumed state of online child pornography, the study's introduction provided the necessary background from which to discuss ICL. However, our goal was not to analyze the phenomenon's objective state but to consider ICL as construed by three Toronto-based newspapers. In this light, the importance of studying news media, its aspirations, influence on consumer audiences and possible role in managing the public agenda were addressed within the literature review. The internal and external forces which mould news narrations were also considered, highlighting the selectivity of reported deviance, the creation of social problems and, thus, Internet Child Luring.

Addressed on an apparent bi-weekly basis and often correlated to child pornography, ICL was constructed primarily as a 'serious' threat to public safety, in articles displaying an identifiable tone. State police, members of parliament, crown prosecutors and CPB/COs were referenced to support the seemingly unjustified tone portrayal. Nevertheless, the marketability of the subject's rendering appeared to usher ICL narrations to the forefront of newsprint partitions. Stories focused upon the actions of logically sober individuals, who commit their violent crimes by exploiting criminal legislation,<sup>132</sup> allowed for the safe distribution of infotainment; a news media blend of information and fear, which is best directed at the actions or inactions of less significant information providers (i.e. offending pedophiles).

The exceedingly inappropriate portrayal of ICL offenders (early-to-mid 30 year old males) as pedophiles served newsprint's construction of a menacing, and thus

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<sup>132</sup> Prudy, C. "Internet sex chat with girl 'not luring'". National Post, April 1, 2006: pA2.

entertaining, antagonist. The socially loaded term, again linked ICL constructs to past images of child sexual abuse and contact offending. Although the prevalence of ICL-related contact offences was lower than N-JOV approximations, the violence employed to carry out the reported assaults appeared exaggerated; further imbalanced by an under-emphasis in victim/offender love and mutual 'willingness'. The effect of sexual abuse upon ICL victims (12 to 13 year old females) was also debatably embellished, via news media's failure to present claims asserting harms need not be serious or lasting. While child sexual abuse is surely the most sordid of criminal acts, maybe, in regards to ICL, we do not yet need to panic.

In its staging of ICL, Toronto-based newsprint has constructed an idiomatic production beyond what can be construed objective journalism. Largely opposing actuality as claimed within academic text, the 'myth making process' (Burton, 2005) that is news media appears to have invested in the production of 'commercial knowledge' to the neglect of accurate reporting. Though never unerringly dispassionate (Cohen & Young, 1973; Herbert, 2000), newsprint's portrayal of ICL has given rise to 'textual panic', a moral craze subsiding within the narrated confines of news media.

As noted by Cohen (1972, p1), every now and then, "societies appear to be subject...to periods of moral panic"; an irrational state of public fear, Hall, Critcher, Jefferson, Clark and Roberts (1978, p16) describe as occurring "when the media representations universally stress 'sudden and dramatic' increases (in the numbers involved or events) and 'novelty,' above and beyond that which a sober, realistic

appraisal could sustain.” Despite term variations within the literature,<sup>133</sup> ‘moral panic’, as a social concept, is rooted primarily in the notion of disproportionality. That is “the attention accorded a given issue, problem, or phenomenon is disproportional to the threat it poses” (Goode & Ben-Yehuda, 1994, p43). In *Mugging as a Moral Panic*, Waddington (1986) critiques the concept’s ‘principal difficulty’ by stating that “conceptually, the notion of a ‘moral panic’ lacks any criteria of proportionality without which it is impossible to determine whether concern about any...problem is justified or not” (p246). This contention is echoed in Kitsuse and Schneider’s (1989) challenge to the very notion of an ontologically privileged view. However, by adopting a ‘soft’ reading of *Constructing Social Problems* (1977), so as to allow for gerrymandering and the ability to quantify dimensions of disproportionality, moral panics are theoretically justifiable happenings. Occurrences construed by the human mind, they are social problems in their most dramatic form, propelled by a newsroom culture accentuating the financial profitability of infotainment.

While “modern moral panics are unthinkable without the media” (Citcher, 2003, p131), to conclude that such developments derive solely from the whim of news profiteers is misleading. “[A] social context and constituency that was anxiety-ridden or risk-conscious enough to be receptive to discourses containing a demonizing message” is indispensable (Thompson, 1998, p29). A formative requisite confined to moral panics existing within a public sphere both external to and inclusive of news media (as talked to by Cohen, 1972, Jenkins, 1998, and Ben-Yehuda, 1990). Textual panics, however, arise

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<sup>133</sup> ‘Panic’ (Goode, 1990; Victor, 1993), ‘craze’ (Whitelock, 1979), ‘menace’ (Markson, 1990), or ‘scare’ (Richardson, Best & Bromley, 1991; Ungar, 1992), ‘moral panic’ (Ben-Yehuda, 1986; 1990; Zatz, 1987; Thompson, 1998; Ungar, 1990; Jenkins, 1992; Goode & Ben-Yehuda, 1994).

solely from newsprint's portrayal of social problem claims above which a reasonable appraisal can sustain. Actual 'scares' need not follow irrational reporting for the panic to exist. The 'menace' both lives and dies within the news text itself. Often observed though questionably felt by the peripheral world.

Although "[i]t is obvious that the media does not influence everyone" (Howitt, 1982, p23), the principal educator on crime and criminal justice is though capable of swaying what its audience talks to or reflects upon. "[I]t is in this form that most people receive their pictures of both deviance and disasters" (Cohen, 1972, p30), images conceivably used to construct a reality against which one balances her actions (Surette, 1992). Conceding the above, the portrayal of textual panics *may* engender the anxiety-ridden social context and constituency from which moral panics are birthed. The psychological shifting of public conscious so as to coalesce with media portrayals harbours the potential to influence real events, making textual panics an extremely powerful means of commercial infotainment. Surely "[t]he discipline of criminology will be enhanced by giving serious attention to the content and effects of the mass media." (Garofalo, 1981, p343). Further research is, however, need.

Despite the alleged seriousness of the transgression, there exists little published research on the luring of children over the Internet to facilitate the commission of a sexual offence. Such erudition, especially if Canadian centered, would allow for more effective legislation, resource distribution and supplementary program assessments. It is

hoped that in anticipation of such knowledge, this study provides a glimpse as to how Internet Child Luring has been constructed for public consumption.

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