



# LEARNING NETWORK VIRTUAL FORUM

## Not Yours to Distribute! Intimate Images and Consent

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Thursday, Feb 9 | 1:00 to 3:30 pm ET

Western



Centre for Research & Education on  
Violence Against Women & Children

LEARNING NETWORK



LEARNING NETWORK VIRTUAL FORUM

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**What to Expect When Reporting the  
Distribution of Intimate Images  
without Consent to Law Enforcement**

Presented by: Melissa Carty



# What to Expect When Reporting the Distribution of Intimate Images without Consent to Law Enforcement

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Internet Child Exploitation Unit

York Regional Police



# Preamble

- This presentation will address how investigations occur within York Regional Police.
- This is not a guide of how each police service completes their investigation.
- The purpose is to give an idea of how the investigation will progress and what you can expect.



*“Everyone who knowingly publishes distributes, transmits, sells, makes available or advertises an intimate image of a person knowing that the person depicted in the image did not give their consent to that conduct, or being reckless as to whether or not that person gave their consent to that conduct, is guilty”.*  
This offence may be prosecuted as an indictable offence with a maximum penalty of five years in jail, or as a summary conviction offence.

Section 162.1 of the Criminal Code of Canada.



# What is an Intimate Image?

- One that depicts a person engaged in an explicit sexual activity, in the nude, or depicting a sexual body part. Further, an intimate image is one where the person shown in the image would have had a reasonable expectation at the time of the recording that their image would remain private.



# Filing a Police Report

- When first reporting the incident
  - Attending the police station vs. calling the police to your residence
  - You will speak with a uniform officer, who will take the initial report.
  - Here they will ask you for who, what, where, when, why?
    - Not asking to be insensitive- but in order to understand the full picture
  - May conduct an Audio/ Video Sworn Statement



# Investigator becomes involved

- In YRP- reports will be forwarded to our Criminal Investigations Bureau- Persons Crime
  - Our Investigators will continue the investigation.
  - They will review the file
  - review the image/video
  - Conduct a video/ audio statement with you
  - Request to take your phone- in order to get an extraction
  - Provide information for support services





# Arrest of the Accused

- If grounds exist, the accused will be arrested and charged with distributing intimate images without consent.
- Interviewed
- Release
- Notification



# Case to Court

- Court Appearances
- Judicial Pre-Trials
- Testifying- Examination in Chief, Cross Examination
- Sentencing
- Victim Impact Statement



Any Questions?