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INTRODUCTION

This report is a contribution to the eGirls Project, an initiative aimed at exploring the relationship between gender, privacy, and equality. The report explores legislative and policy initiatives concerning youth and technology from the Canadian provinces of British Columbia, Alberta, Ontario, and Nova Scotia from 2007 to 2013. It includes high-level findings, highlights, and conclusions drawn from the research table, with a particular focus on how the “girl” populates various provincial policy discussions relating to technology.

FINDINGS BY TOPIC

A. Cyberbullying: Education, Prevention, and Restoration

Cyberbullying stands apart as the foremost topic of discussion across the provinces of British Columbia, Alberta, Ontario, and Nova Scotia within the time period assessed. A number of factors have played a role in drawing the attention of legislators and parliamentarians to cyberbullying, including recent incidents of self-inflicted violence by adolescent victims of online bullying,¹ media coverage of criminal behaviour involving technology, and educators’ increasing awareness of the impact of cyberbullying on the school environment.

Framing the Issue

Discussions concerning cyberbullying across the provinces all begin with the assumption, whether explicit or implicit, that technology and its uses are inherently beneficial to society. For instance, policy debates either refer to modern technology as both a “blessing and a curse”,² or simply consider the positive aspects of advances in technology and social media as a “given” and instead redirect attention to the ways in which various actors (government, school boards, Internet service providers) must now limit or regulate the use of such technology.³ Focus has therefore shifted to the misuse of technology and the harmful effects of cyberbullying on individuals’ self-esteem and mental health, youths’ relationships, and the educational

¹ Amanda Todd and Rehtaeh Parsons suicides (see: <http://www.ctvnews.ca/canada/amanda-todd-s-mother-saddened-by-rehtaeh-parsons-suicide-1.1233416>;

http://www.thestar.com/news/insight/2013/04/26/rehtaeh_parsons_and_the_frightening_power_of_images.html)

² Nova Scotia Task Force on Bullying and Cyberbullying, *Respectful and Responsible Relationships: There’s No App for That* (Nova Scotia: 29 February, 2012) [*Nova Scotia Report*].

³ Ministry of Education, *ERASE Bullying Strategy* (2012), online: Government of British Columbia <<http://www.erasebullying.ca>> [*BC ERASE Bullying Strategy*].

environment. Cyberbullying is regarded as a “systemic” and “pervasive” trend with multi-dimensional effects.⁴

In framing the issue of cyberbullying, legislators have attempted to identify factors giving rise to the phenomenon of cyberbullying. First and foremost, blame is attributed to the increasing use of social media by adolescents, and the potential for anonymity that comes with online communication.⁵ Also mentioned are factors such as the “disconnect” from real life that Internet interaction fosters, the cattiness of “celebrity culture,” and the sense of fearlessness cultivated by communication via social media.⁶ Policy debates suggest that so long as Canadian youth are indoctrinated with ideas of digital literacy and citizenship, the problem of cyberbullying can be diminished.

The sexualization of girls and/or young women in the media is rarely discussed as a contributing factor to the problem of cyberbullying. Although some provinces have recognized this factor explicitly (Nova Scotia), it is more often implicitly mentioned, such as through informational videos on cyberbullying involving statistics citing girls as the prominent victims of online harassment, or through mention of recent victims of cyberbullying in Canada.⁷ Nova Scotia is one province that has overtly recognized the heightened vulnerability of girls in the context of cyberbullying, in addition to Ontario and British Columbia to some extent.

The Report of the Nova Scotia Task Force on Bullying and Cyberbullying (“Nova Scotia Task Force”), *Respectful and Responsible Relationships: There’s No App for That*, makes several references to the gendered nature of cyberbullying. For instance, the report indicates that cyberbullying encompasses derogatory comments about sex or those aimed at exploiting an individual’s sexuality, and that young women are particularly vulnerable to cyberbullying.⁸ The report also makes a number of recommendations aimed at assisting young women in the context of cyberbullying, such as the Cybersafe Girl Initiative, a Sexual Violence Strategic Framework, and the Hypersexualization Project.⁹ Moreover, Nova Scotia’s “Speak Up” campaign, created

⁴ Alberta Government, *Cyberbullying Prevention* webcast (2013) online: Teachers Media Canada <<http://events.teachersmedia.ca/cyber-bullying>> [*Alberta Cyberbullying Prevention Webcast*].

⁵ *Nova Scotia Report*, *supra* note 2.

⁶ *Ibid.*

⁷ Amanda Todd and Rehtaeh Parsons suicides, *supra* note 1.

⁸ *Nova Scotia Report*, *supra* note 2 at 86.

⁹ *Ibid.*

after the Task Force report, suggests that the effects of cyberbullying include sexualized violence, which requires a specialized response.¹⁰

Policy debates in Ontario have also included gender-specific language. For instance, in discussing cyberbullying under the Accepting Schools Act, Member of Provincial Parliament (MPP) Laurel Broten emphasized that sexual assault and gender-based violence contribute negatively to the achievement of an inclusive school environment.¹¹ Ms. Broten recognized that violence against women and girls remains a serious problem and that there is more work to do in creating safe schools free from misogynistic bullying.

Finally, efforts to confront the issue of cyberbullying in British Columbia have implicitly suggested that cyberbullying entails gendered components. This was implied primarily through specific discussions of Amanda Todd's tragic suicide as a result of sexualized online bullying.¹² Another example of this is an informational video on cyberbullying posted on a government website as part of the province's "ERASE Bullying Strategy" involving information on sexting and the disproportionate percentage of female victims of cyberbullying.¹³

Proposing Solutions

Across the provinces, there is relative agreement that because of its systemic and pervasive nature, cyberbullying must be combated in a comprehensive fashion. For instance, B.C. Premier Christy Clark emphasizes the need for a complete "culture change" in both schools and communities.¹⁴ The provinces have also generally recognized that combating cyberbullying requires a combination of efforts from multiple actors, including legislators, school boards,

¹⁰ *Ibid.*

¹¹ Ontario, Legislative Assembly, *Official Report of Debates (Hansard)*, 40th Parl, 1st Sess, No 7 (30 November 2011) at para 522.

¹² British Columbia Anti-Bullying Summit, as reported in The Canadian Press, "B.C. convenes anti-bullying conference, one month after Amanda Todd's suicide" *CTV News* (13 November 2012) online: BellMedia <<http://www.ctvnews.ca/canada/>>.

¹³ *BC ERASE Bullying Strategy*, *supra* note 3.

¹⁴ See Premier Christy Clark's video response to Amanda Todd suicide: <<http://www.youtube.com/watch?v=PyO79UAIcqw&feature=youtu.be>>.

educators, parents, and students. That said, the leading solution suggested across the provinces is change through the education system, both legislated¹⁵ and otherwise.¹⁶

Across the provinces, several modifications have been made to provincial education-related legislation, school board codes of conduct, and teachers' guides concerning how to deal effectively with classroom issues, including cyberbullying.¹⁷ Relatively little attention has been attributed to the role of external actors, such as Internet service providers (ISPs) and commercial entities (for example, owners of social networking websites). However, Nova Scotia has modified its Consumer Protection Act to require cellular phone companies to distribute responsible use guidelines to consumers upon purchase.¹⁸

Under the umbrella of education, there are three prominent categories of solutions that can be identified in the inter-provincial comparison of cyberbullying discussions. Those categories are education, prevention, and restoration. The education component is comprised primarily of efforts to inform the public, and in particular educators, parents, and youth of the definition and nature of cyberbullying, and awareness-raising of the harmful effects of cyberbullying on the mental health and wellbeing of youth. This was accomplished through amendments to education-related legislation to define and denounce the practice of cyberbullying,¹⁹ the establishment of bullying awareness campaigns (like Pink Shirt Day), engagement of public officials with experts and communities through webcasts,²⁰ provincial task forces,²¹ youth advisory councils, and the creation of websites for informational and incident-reporting purposes related to cyberbullying.²²

Prevention is another prominent theme in proposed solutions to cyberbullying. Prevention efforts across the provinces range from legislative amendments aimed at deterring online harassment,

¹⁵ *Nova Scotia Report*, *supra* note 2 at 59.

¹⁶ *BC ERASE Bullying Strategy*, *supra* note 3.

¹⁷ For an example of BC resources, visit "Safe, Caring and Orderly Schools: Resources Related to School Safety," online: British Columbia Ministry of Education <<http://www.bced.gov.bc.ca/sco/resources.htm>>.

¹⁸ See *Consumer Protection Act* cellphone provisions online:

<<http://www.gov.ns.ca/snsmr/access/individuals/consumer-awareness/consumer-purchases.asp>>.

¹⁹ For example, Bill 13, *An Act to amend the Education Act with respect to bullying and other matters*, 1st Sess, 40th Parl, Ontario, 2012 (assented to 19 June 2012) SO 2012, c 5.

²⁰ *Alberta Cyberbullying Prevention Webcast*, *supra* note 4.

²¹ *Nova Scotia Task Force Report*, *supra* note 2.

²² For example, see *Report Bullying BC*: <https://reportbullyingbc.edudata.ca/apps/bullying/>.

the implementation of punitive repercussions for cyberbullies in school board codes of conduct,²³ and websites that not only allow youth to submit anonymous reports of cyberbullying incidents but also track such incidents according to region and school.²⁴ Finally, efforts have been made to communicate to students the contribution of bystanders in individuals' continuing victimization by cyberbullies and the importance of engaging online as responsible "digital citizens."

Restoration is the last of the three-pronged solution to cyberbullying. This component involves a progressive discipline model, in which diverse strategies are used to promote positive behaviour and discourage inappropriate behaviour in a manner that is supportive rather than punitive.²⁵ This model has appeared in both Ontario²⁶ and Nova Scotia, including in the Nova Scotia's Task Force Report.²⁷ Examples of the restorative approach to issues concerning cyberbullying range from meeting with parents or school psychologists to peer mediation and referral of students to community programs.²⁸

B. Child Pornography and Protecting against Online Predators

The protection of youth from online predators and the combating of child pornography also attracted much attention across the provinces within the prescribed time period of this study. For instance, enacting mandatory reporting of child pornography legislation—which imposes an obligation on citizens to report incidents of children's sexual exploitation—was a major priority in Alberta, Ontario, and Nova Scotia. The province of Manitoba, although outside the scope of this review, has enacted similar legislation.

Framing the Issue

Discussions surrounding such issues tended to involve considerable scepticism of the Internet, framing it as a severe threat to the safety and wellbeing of children.²⁹ Youth were often

²³ For example, see the British Columbia Ministry of Education's Code of Conduct, online: <<http://www.bced.gov.bc.ca/sco/guide/scoguide.pdf#page=21>>.

²⁴ *Report Bullying BC*, *supra* note 22.

²⁵ *Nova Scotia Report*, *supra* note 2 at 62.

²⁶ Bill 212, *An Act to amend the Education Act in respect of behaviour, discipline and safety*, 2nd Sess, 38th Parl, Ontario, 2007 (assented to 4 June 2007) SO 2007, c 14.

²⁷ *Nova Scotia Report*, *supra* note 2 at 62.

²⁸ *Ibid.*

²⁹ For example, see the Nova Scotia Ministry of Education's "Speak Up" (2013) Action Plan, online: <<http://novascotia.ca/news/release/?id=20130227004>>.

implicitly characterized as inherently naïve, vulnerable and in need of protection on the subject of their ability to safely navigate the Internet.³⁰ The problem, therefore, was generally framed in terms of a combination of the vulnerability of youth on the one hand, and their manipulation by online predators on the other. Gender-specific language was very rare if not completely absent in these policy discussions.

Proposing Solutions

As mentioned above, the provinces of Alberta, Ontario, Nova Scotia and Manitoba have all enacted mandatory reporting of child pornography laws to assist in protecting children from online sexual exploitation.³¹ This legislation makes it mandatory for anyone, including employers, to report incidents of child pornography or else be subject to fines or imprisonment. Sex offender registries have also been adopted as a method of combating child luring in Ontario. Finally, some provinces have suggested that since ISPs provide technology that can be put to improper uses, they ought to be responsible for raising awareness and warning of the potential dangers of the cyber-world.³²

C. Other Matters Concerning Technology and Youth

In addition to the topics of cyberbullying and child pornography, the provinces have addressed other matters involving technology. For instance, Nova Scotia recently amended its *Consumer Protection Act* to provide cellphone users with greater protections.³³ According to the amendment, cellphone service providers must now supply consumers in Nova Scotia with an informational document entitled *Be a Responsible Digital Citizen* when they sign a contract.³⁴ Québec has also implemented similar changes to its consumer protection legislation.³⁵

³⁰ *BC ERASE Bullying Strategy*, *supra* note 3.

³¹ *Child Pornography Reporting Act*, SO 2008 c 21.

³² *Nova Scotia Report*, *supra* note 2 at c 2.

³³ See *Consumer Protection Act* cellphone provisions, *supra* note 18.

³⁴ *Ibid.*

³⁵ *Consumer Protection Act*, RSQ c P-40.1.

PROVINCIAL COMPARISON

Similarities

Overall, the provinces of British Columbia, Alberta, Ontario and Nova Scotia engaged with similar issues over the prescribed time period. Each province's approach to such issues was also highly consistent, such as viewing cyberbullying as a systemic problem and looking to their respective ministries of education and school boards to combat the problem. This uniform approach may be attributed to the widespread news coverage of cyberbullying consequences and the creation of national task forces and conferences on cyberbullying, which encourage inter-provincial collaboration.

Differences

Despite such similarities, however, there are several differences between the provinces in question. For instance, unlike the other provinces, British Columbia has chosen to advance non-legislative initiatives to address the issue of cyberbullying, and it has yet to enact mandatory reporting of child pornography legislation. Moreover, the provinces differ in terms of the extent to which they address and set out to confront the gendered nature of many technology-related policy issues, such as cyberbullying and sexting. It is uncertain whether this discrepancy is a result of a lack of collaboration and information-sharing between provinces, or whether it is a conscious political move made by government officials.

GAPS IN PROVINCIAL AGENDAS

The following topic areas received relatively little attention across the provinces of British Columbia, Alberta, Ontario, and Nova Scotia:

- A) Exposure to pornography/sexualized content
- B) Privacy
- C) Inactivity/obesity
- D) Online gaming

CONCLUSIONS

In conclusion, the research suggests that the provinces of British Columbia, Alberta, Ontario, and Nova Scotia have focused much attention on the issue of cyberbullying in the last five years. Gender-specific language and discussions, although rare, do arise in the context of such cyberbullying debates and there seems to be growing recognition of the gender-specific consequences of cyberbullying in response to particular high-profile incidents. Nova Scotia has been a clear leader in engaging in gender-specific initiatives, and to some extent British Columbia and Ontario. The realm of education was the preferred sphere for confronting cyberbullying, however, there have been some hints of expanding responsibility of actors outside the education system, including Internet service providers and cellular phone companies.