Destination Canada 300: Inventing a Future of eQuality Jane Bailey University of Ottawa Faculty of Law presented at PolicyIgnite! Ottawa, Ontario 28 March 2017

I'm about to engage in what may be the ultimate act of hubris – not just predicting the future (like - what's for dinner?) but what does the next 150 years have in store for us?!

When I went looking for a crystal ball to gaze into – I found this one in a blog post discussing how to "predict the future using social media monitoring" – which is the very future about which I'm most concerned. Because, as Nobel Prize winner Dennis Gabor is credited with saying:

"The future cannot be predicted, but futures can be invented."

My talk is about what kind of future we want, who is likely to be included, who is likely to be excluded and what policymakers can do about it.

Specifically, I want to talk about inventing eQuality – in particular – about ensuring that young people from marginalized communities can meaningfully participate in our digital future not just today but 150 years from today. To invent that future, we have to start now and we have two key impediments we'll have to address:

- 1. cyberviolence practices of hate, and discrimination grounded in oppressions like misogyny and homophobia that communicate to youth from marginalized communities, especially girls and young women, that they have no place in our digital future; and
- 2. corporate surveillance practices that make it difficult for youth to navigate the seamlessly integrated online/offline world we've created for them.

Our research with youth over the last several years paints a graphic image of a perfect storm in which digital architectures incent young people to shed data that is in turn used to profile and categorize them for purposes such as targeted advertising involving predictions about who they are and who they ought to be that are often premised on narrow mediatized stereotypes. When young people try to reproduce these stereotypes in order to attract the "likes" and "friends" set up by platforms as numeric markers of success, they are opened up to conflict with others who monitor, judge and sometimes stalk and harass them.

Further, educational software used (and sometimes mandated) by schools also injects and normalizes surveillance and profiling into young people's social and intellectual processes at school from an early age.

In this environment of surveillance and prediction that is largely invisible to the user, traditional data protection models based on consent are not enough to protect young people's privacy and equality. Because networked technologies are now embedded in their social lives, their schools and their jobs, they have no choice but to accept the terms of use that purport to permit these practices even when they do not agree with them.

SO, in light of these issues, the question is how to invent a brighter future for Canada 300? Fortunately, young people have given us lots of good ideas about this – I'll discuss 5:

First, our policy development models need to be reformed to engage diverse groups of youth in the policy development process because research to date suggests a serious gap between the policies set by adults and the lived experiences of young people.

Second, we have to understand cyberviolence and privacy as equality-based human rights issues, where oppressions like racism and colonialism intersect and coalesce as tools for both excusing disproportionate monitoring of and for silencing youth from equality-seeking communities.

Third, we must address root causes of these human rights issues and not just symptoms, which means expanding the policy focus beyond reactive criminal law responses, toward proactive, educational, human rights based approaches aimed at social transformation and enhanced corporate accountability.

Fourth, we must provide more support for targets of cyberviolence & the grassroots community based organizations that provide them with the resources and support they need.

Fifth, and perhaps most fundamentally, we need to shift from a model that focuses on reshaping human behaviour to accommodate technology as if technology is an immutable and unquestionable given and start calling corporations operating in these spaces to account for their design and operation decisions. The medium itself IS a message, it isn't *just* about what users do with it. This will mean regulating corporations either by using existing powers or creating new ones to, for example limit what they do with the data of young people.

In short, I'm suggesting inventing eQuality will mean reimagining the balance in the relationship between policymakers and corporate technocracies to address the critical and sometimes invisible impact of private commercial decision making on fundamental public values and commitments like privacy and equality that our democratically elected government is entrusted to safeguard.

If we start now we might just hit the target of Canada 300!