

**SUBMISSION
TO THE HOUSE OF COMMONS STANDING COMMITTEE ON THE STATUS OF WOMEN
RELATING TO VIOLENCE AGAINST YOUNG WOMEN AND GIRLS IN CANADA**

**SUBMISSION BY
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1. These submissions focus on cyberviolence against girls and young women, although in the seamlessly integrated online/offline world inhabited by many young people, any distinctions between “cyber” and “real” space are virtually meaningless.³ Our recommendations are based on the work that we have been doing on the intersections of law, technology and equality for over 15 years, and in particular, the work of [The eGirls Project](#), which we co-led until 2014 and the work of [The eQuality Project](#), which we currently co-lead.

2. The eGirls Project focused on girls’ and young women’s experiences with online social media. In it we interviewed girls and young women aged 15-17 and 18-22 to ask them, among other things, about how their perceptions of their online lives lined up with those of federal policymakers and to find out what they wanted policymakers to know about what it was like to be a girl online. Technologically facilitated harassment and violence surfaced in those conversations, but so too did their concerns around mediatized stereotyping, privacy, the intense scrutiny girls find themselves under online, and corporate policies, practices and structures that compromise their capacity to participate as equals online and off.

3. The eQuality Project is focused on the ways in which online behavioural targeting shapes the online environment that young people inhabit, and the degree to which it sets young people up for conflict and harassment, particularly youth from diverse and intersecting equality seeking communities. One of The eQuality Project’s current initiatives is to review and assess the efficacy of criminal law responses by examining Canadian case law on technologically facilitated VAWG.

RECOMMENDATIONS

4. **Incorporate a focus on cyberviolence in the Canadian strategy on VAWG.** Cyberviolence takes many forms and is often integrated with other forms of violence and abuse of women and girls within existing relationships.⁴ Digital communications technologies have been used to threaten, harass, exploit, extort, traffic, stalk and impersonate women and girls, and to non-consensually disclose intimate images of them.⁵

5. **Respect Canada’s international obligations under the Convention on the Rights of the Child by consulting directly with diverse groups of girls and young women on these issues and recognize the expertise of community organizations that work against VAWG and support survivors.** Do not assume adults’ perceptions of girls’ and young women’s problems match girls’ and young women’s own experiences. For example, Canadian federal public policy dialogue around children and technology has placed significant emphasis on the risk of unknown sexual predators online.⁶ eGirls Project participants indicated some concern about unknown sexual predators online (especially with respect to their younger siblings and relations). However, they demonstrated far more concern about the impact of the widespread availability and scrutiny of data relating to them and exposure to the risk of long-term reputational ruin.⁷ Girls and young women may be equally, if not more at risk of cyberviolence by those they *know* than by strangers.

6. **Recognize cyberviolence against women and girls as an equality-based human rights issue and proactively address root causes, rather than focusing solely on criminal law responses.** While individual perpetrators should be held responsible for their actions and the criminal justice system should be equitably accessible, meaningfully addressing girls’ and young women’s disproportionate targeting by sexualized cyberviolence requires broader social transformation to address misogyny, racism, homophobia and other intersecting oppressions long used as tools to silence equality-seeking groups. Some eGirls Project participants felt it would be particularly important to address discrimination and prejudice through educational measures to combat these forms of oppression, as well as to address heterosexist stereotyping that privileges thin, white images of femininity and sexuality that were a prominent part of advertising they were targeted with in online social spaces.⁸

7. **Provide more support for girls and young women targeted by cyberviolence and fund anti-discrimination research, education and programs, and the work of VAWG and other grassroots organizations, and schools** that are in the trenches working for equality and providing support for girls and women victimized by cyberviolence. The eGirls Project participants felt there was too little focus on providing support and encouragement for targets of online abuse.⁹ Policymakers

should make sure that community organizations working to combat VAWG and to support survivors, and schools dealing with these issues have adequate funding to meaningfully address these needs.

8. **Address corporate structuring of online environments in ways that undermine girls' and young women's ability to participate as equals** by compromising their ability to control their own data, holding them hostage to the threat of the "permanent record", and embedding their social spaces with mediatized stereotypes that set them up for conflict and harassment. Too often policy approaches focus on *reactive* responses that result in blaming those attacked for having disclosed too much and subjecting girls and young women targeted to further monitoring and surveillance by parents and other adults.¹⁰ The eGirls Project participants felt that policymakers should, in particular, give girls a break and pay more attention to corporate practices and policies that compromised their ability to negotiate privacy in networked spaces.¹¹

9. **Do not make unnecessary expansion of police power the price of addressing cyberviolence against women and girls.** One eGirls Project participant lamented that protections from online predation for girls and women were too often associated with unnecessary expansion of police surveillance powers.¹² Once again, with passage of Bill C-13, criminal censure of non-consensual distribution of intimate images came at the cost of expanded police powers that were in no way limited to addressing VAWG.

All of which is respectfully submitted,

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³ MediaSmarts, "Life online for young Canadians is more connected, more mobile and more social" (22 January 2014), online: <http://mediasmarts.ca/print/press-centre/life-online-young-canadians-more-connected-more-mobile-and-more-social>.

⁴ For example, in a survey of Ontario community organizations, educators, violence prevention advocates and front-line workers related to sexual violence and social media 79 percent of respondents were aware of social media forming part of intimate violence, and 3/4 were aware of the posting and sharing of intimate photos without consent: Fairbairn, J., Bivens, R., and Dawson, M. (2013). *Sexual violence and social media: Building a framework for prevention*. Ottawa: Crime Prevention Ottawa/Ottawa Coalition to End Violence Against Women.

⁵ 90% of the victims of non-consensual distribution of intimate images in one US study were women: Rachel Hill, "Cyber-Misogyny: Should 'Revenge Porn' be Regulated in Scotland, and if so, how?", (2015) 12:2 *SCRIPTed* 117 <https://script-ed.org/?p=2113> DOI: 10.2966/scrip.120215.117. The 2009 General Social Survey indicated that girls were the targets in 70% of reported cyberbullying incidents involving children, while the 2009 Uniform Crime Report indicated that girls represented 67% of the victims of police-reported cases of internet intimidation, although men and women were equally likely to report having been cyberbullied in the same survey: Samuel Perrault, "Self-reported Internet Victimization in Canada, 2009" (Statistics Canada: 2011), online: <http://www.statcan.gc.ca/pub/85-002-x/2011001/article/11530-eng.htm> at 10-11.

⁶ Bailey, J. and Valerie Steeves. (2013). Will the Real Digital Girl Please Stand Up? in Hille Koskela and Macgregor Wise eds. *New visualities, new technologies: The new ecstasy of communication*. Ashgate Publishing [Bailey & Steeves, 2013].

⁷ Bailey, J. (2015). A Perfect Storm: How the Online Environment, Social Norms and Law Constrain Girls' Online Lives. In Jane Bailey and Valerie Steeves, eds. *eGirls, eCitizens*, Ottawa: University of Ottawa Press, 21-54 [Bailey, 2015].

⁸ *Ibid.*

⁹ *Ibid.*

¹⁰ Steeves, V. (2015). "Pretty and Just a Little Bit Sexy I Guess": Publicity, Privacy and the Pressure to Perform "Appropriate" Femininity on Social Media. In Jane Bailey and Valerie Steeves, eds. *eGirls, eCitizens*, Ottawa: University of Ottawa Press, 153-174 [Steeves, 2015].

¹¹ For example, eGirls Project participants noted that certain online social networking platforms demanded unnecessary information (such as birth dates) and that apps sometimes demanded information only after allowing the user to get hooked. them, that user agreements and the technicalities of privacy settings often made it difficult for them to proactively protect their data even where they wanted to, and that some platforms automatically integrated postings from other platforms, making it difficult for them to play different roles for different audiences: Bailey, 2015, *supra* note 7.

¹² *Ibid.*