

Technologically-facilitated violence against women and girls: criminal law and platform responses

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Eliminating Cyberviolence Against Women & Girls
Global Affairs Canada
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human rights issue



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physical, sexual, and psychological integrity,
equality, privacy and autonomy



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international obligations



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series of individual actions



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stay offline



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seamlessly integrated online/offline existences



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victim-blaming



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broad spectrum multi-pronged approach



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misogyny, racism, colonialism, homophobia and
transphobia



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industry practices



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regulation of platform providers



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greater transparency & accountability



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educational initiatives
expanded opportunity for public dialogue



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criminal redress



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accountability for individual perpetrators
signals a public wrong



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agency, autonomy and equal right to participate



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objectification



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113 cases



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111 males accused



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13 different offences

criminal harassment (s. 264)

extortion (s. 346)

voyeurism (s. 162)

sexual assault (ss. 265 and 271)

non-consensual distribution of intimate images (s. 162.1)

defamatory libel (s. 298)

identity fraud (s. 403)

mischief in relation to data (s. 430)

sexual interference (s. 151)

invitation to sexual touching (s. 152)

sexual exploitation (s. 153)

making sexually explicit material available to children (s. 171.1)

child luring (s. 172.1)

child pornography (s. 163.1)

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94/113 resulted in convictions



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survivor-centred outcomes



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victim-blaming language
decontextual assessment of “harm” & “violence”
inadequate respect for women’s and girls’ privacy



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Criminal law *can* respond to TFVAWG but whether it *will* is a different story.



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complaint to police



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inadequate police response



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poor training and resources



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deference to platform providers



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Twitter’s “blue verified badge” Facebook’s revenge porn reporting tool



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invites users to send Facebook their intimate images *before* someone else posts them



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privacy and security



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- (1) private processes supplanting public law
- (2) lack of accountability
- (3) ineffectiveness
- (4) questionable standards



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multi-pronged approach



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improve criminal law responsiveness



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