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The eQuality Project Annual Report 2019 – 2020

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<http://www.equalityproject.ca/our-project/annual-reports/>

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OUR MISSION

TO HELP YOUNG
PEOPLE CREATE A
NETWORKED
ENVIRONMENT
WHERE THEY CAN
PLAY, LEARN,
COMMUNICATE, AND
PARTICIPATE
EQUALLY, FREE
FROM
SURVEILLANCE, AND
IDENTITY-BASED
HARASSMENT.

WHAT'S NEW IN equality?

We are a seven-year partnership project funded by the Social Sciences and Humanities Research Council of Canada, developing new knowledge about young people's experiences of privacy and equality in networked spaces.

The COVID-19 pandemic has already led to many far-reaching personal and societal shifts, including both a sharp increase in instances of online racism, as well as a reinvigoration of the debate concerning individual and public privacy.

In many ways, COVID-19 has created the perfect storm – particularly in North America – as conspiracy theories and fake news have circulated on social media platforms and fuelled a sharp rise in online racism against Asian-Canadians and Americans. Indeed, partially due to the geographical locales where the first major outbreaks of COVID-19 were reported, there has been a sharp rise in the volume of harassment and racism against those of Asian descent.

Further fuelled by the 24-hour news cycle, many of these conspiracies and fake news items have made the leap off of social media platforms and been the subject of false and racist celebrity and political commentary featured on mainstream news media. This transition to reputable news sources subsequently fed back into social media platforms, with an added air of “truth”, which has further contributed to an online environment where fake news and inaccurate information concerning the origins, causes, and symptoms of COVID-19 are rife, and contribute to the scapegoating of certain groups.

The uptick in racist discourse exacerbates the discrimination that POC experience in their daily lives. Indeed, Angus Reid recently partnered with the University of Alberta to conduct a survey to catalogue the experiences of Chinese Canadians in the wake of COVID-19. The results are predictably upsetting/unsettling/concerning:

“Half (50%) report being called names or insulted as a

direct result of the COVID-19 outbreak, and a plurality (43%) further say they've been threatened or intimidated. Additionally, three-in-ten (30%) report being frequently exposed to racist graffiti or messaging on social media since the pandemic began, while just as many (29%) say they have frequently been made to feel as though they posed a threat to the health and safety of others.”¹

These numbers highlight the effect that the proliferation of online racism has, even in a country that many would describe as welcoming of different races and creeds (without discounting the systemic racism that continues to exist in Canada).

In addition, the COVID-19 pandemic has raised questions about the rapid increase in surveillance; highlighted concerns around the sacrifices that individuals “should” be prepared to make to ensure public and personal safety; and, called into question technology's role in the attempted containment of COVID-19. Indeed, there are few areas of society that remain unchanged, with social isolation and quarantine (and their technological “antidotes”) the new normal for many. The overwhelming response by technology corporations has been to develop and supply ever-more invasive technologies to governments and organizations. Indeed, it's not only legislators who have been debating and implementing surveillance technologies for use on their citizens. School boards and education departments, for instance, are also wrestling with the management of students' education and privacy.

Indeed, despite increasingly vocal privacy concerns surrounding state and corporate responses to COVID-19, there has been a shift towards ever-greater privacy invasion. While some observers see these measures as “temporary,” it's difficult to imagine a scenario where

corporations and governments will relinquish these powerful surveillance tools easily or entirely, let alone properly handle and/or dispose of the massive troves of data they have collected.

Technology corporations have leapt at the chance to harvest immense amounts of personal and health data during, and in the wake of the pandemic, particularly through cell phones. Given the numbers of Canadian youth who have cell phones, this new trend is particularly concerning for researchers and advocates seeking a rights-respecting networked environment for young people.

For example, Apple and Google have collaborated on COVID-19 contact-tracing software that utilizes geolocation and Bluetooth signals between smartphones to alert individuals whether they have come into contact with someone previously diagnosed with COVID-19.² These tools will be built directly into Apple and Google's mobile iOS and Android operating systems, respectively.³ Looking at the numbers, iOS- and Android-powered smartphones run upwards of 40% of the world's smartphones, which means that billions of phone users – many of them youth – can be tracked by these two American companies.⁴

Apple and Google are far from the only tech companies that are developing surveillance technology in response to the COVID-19 pandemic, and both companies have stated that the contact-tracing software will be deactivated after the end of the public health crisis.⁵ However, the sheer number of surveillance technologies under development or being implemented are substantial enough that it's difficult to imagine that they will all be disabled and discontinued after the worst of the pandemic has passed without being rebranded for other purposes – covertly or not. But what about the effectiveness of these technologies? Surely, it's worth a temporary sacrifice of privacy for public safety? Perhaps, if they actually worked as well as promised. The majority of these technologies have dubious claims of functionality and effectiveness, especially regarding geolocation and Bluetooth, which range from incredibly accurate, to laughably wayward.⁶

Around the globe, governments have been embracing much of this surveillance technology, seemingly without much thought to the implications. The Indian

state of Karnataka is using a new mobile app called "Quarantine Watch" that tracks users through GPS, and has asked citizens to submit hourly selfies to prove that they haven't left the house.⁷ A similar app in Poland has been released with the following instructions: "People in quarantine have a choice: either receive unexpected visits from the police, or download this app."⁸ The official contact tracing app used in North Dakota has been sending "location data and a unique user identifier to Foursquare—and other data to Google and a [Barcelona-based] bug-tracking company."⁹ Not limiting themselves to asking for hourly selfies, several State Governments in the United States have begun to use house arrest surveillance technologies to ensure that citizens don't break mandated quarantine periods.¹⁰ In addition, with the ongoing protests against systematic racism in the United States, surveillance technology is being used with increasing frequency by state and federal authorities. The Canadian Federal Government's contact tracing app – while encrypted – retains the IP addresses of users, which opens the door for data sharing – with law enforcement, for example.¹¹

These examples all highlight the most nefarious issues surrounding data collection: who has access to it, where is it stored, and who is it weaponized against? Research shows that racism against members of ethnic and minority groups and Indigenous peoples has a disproportionately negative effect on their socioeconomic circumstances.¹² This, in turn places members of these equality-seeking communities at greater risk of contracting COVID-19.¹³ In this way apps aimed at surveilling those with COVID-19 seem destined to further entrench racism and other discriminatory patterns.

Education Ministries and School Boards are also ploughing ahead with their commitments to educational technology, and turning teachers and students into online education guinea pigs. Classes from the primary level all the way through university courses are being conducted via online platforms, and they have started utilising new student monitoring technologies to ensure that students are present, and to eliminate cheating. For example, some school boards and universities have purchased technology that turns their classes and exams (and therefore students' homes) into surveillance panopticons. Proctorio and Proctor U

are two of the most well-known suites of AI powered-online proctoring software that utilise facial recognition and machine learning algorithms that are powered by the students' webcam feed, microphone inputs, and keystrokes in order to prevent cheating.¹⁴

Not to be outdone, employers are also jumping on the mass surveillance bandwagon by heavily investing in surveillance technology to monitor their employees as they work remotely, or on-site if their offices have reopened. There are myriad apps that allow for the detailed surveillance of workers that track: their screen time; computer mouse movement; take random screenshots; and, record their GPS coordinates.¹⁵ Indeed, NY Times writer Adam Satariano decided to conduct an experiment and downloaded employee-monitoring software to test on himself and found that:

"Every few minutes, it snapped a screenshot of the websites I browsed, the documents I was writing and the social media sites I visited. From my phone, it mapped where I went, including a two-hour bike ride that I took around Battersea Park with my kids in the middle of one workday. (Whoops.)"¹⁶

What this technology is unable to calculate is work-time spent away from the computer: teleconferences; interviews; and, research, for example, highlighting that this surveillance is primarily about policing working behaviour, often at the risk of productivity. With the cautious reopening of many workplaces, and the perceived long-term remote-work situation that many employers and employees have been finding themselves in, it is unlikely that this technology will disappear anytime soon, even after the pandemic ends. In all likelihood, those that appreciate its use will double down on it, while those who dislike the privacy implications will continue to avoid its use.

What the varying reactions to COVID-19 have shown is that there are two dominant and competing approaches to the use of technology to promote public health and productivity. Those who support increased surveillance, such as most of Silicon Valley, are spending huge amounts of money on the development of an increasingly invasive corporate surveillance state, and discounting warnings about the excesses of surveillance and data collection as paranoia. Whereas advocates and

educators point out that this kind of corporate-funded surveillance is incredibly difficult to roll back once in common use.

Hopefully, as individuals and societies continue to adjust to the realities of the COVID-19 pandemic, we can begin to have more contextual and complicated discussions around growing racism, individual privacy, and the relationships between the two.



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4. WIRED. <https://www.wired.com/story/health-officials-no-thanks-contact-tracing-tech/>.
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6. National Observer. <https://www.nationalobserver.com/2020/05/01/opinion/digital-contact-tracing-real-hope-or-dangerous-distraction>.
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RESEARCH AT A GLANCE

Creating new knowledge about networked technologies, online discrimination and identity-based conflict between young people online.

Mapping Young Peoples' Understandings of Privacy in the Networked Environment

This past year, The eQuality Project research team initiated a project to investigate young peoples' knowledge and attitudes concerning the data that smartphones collect on their users, such as: location data (both static/active, current/historical); banking information (accounts, PINs, etc.); personally-identifiable information (what users look/sound like); and, information regarding content (browsing history, files down/uploaded). Researchers broke the items down into a list of 51 "stimulus items" and asked teens to group them into piles, and conducted focus groups wherein all items were then sorted from least to most privacy sensitive according to audience – i.e. information known/accessed by family/friends; teachers/classmates; and, governments/strangers/corporations. eQ researchers then engaged the participants in focus groups discussion concerning their experiences with privacy. Results from the project should be published in 2021.

Tech-Facilitated Violence and Abuse Edited Collection

The eQuality Project's Jane Bailey has partnered with Nicola Henry (RMIT University) and Asher Flynn (Monash University) to co-edit a collected volume that investigates and highlights international perspectives on technology-facilitated violence. The collection consists of chapters submitted by legal scholars, activists, and researchers from around the world including North and South America, Europe, Asia, Africa, and Oceania. The volume, entitled International Handbook on Technology-facilitated Violence and Abuse, is set to be published by Emerald Publishing in 2021.

In addition to being available in hard copy, the book will be published online open access thanks to eQ collaborator Anne Cheung's generous contribution of a portion of her Hong Kong Research Council grant (which focused on privacy as a response to cyberbullying). The book will feature chapters by a number of eQ team members, including Jane Bailey and Raine Liliefeldt (focusing on multi-stakeholder collaboration in the context of finding solutions for technology-facilitated violence and abuse); Anne Cheung (focusing on doxxing in the context of ongoing political protests in Hong Kong); Suzie Dunn (focusing on why TFVA should be considered "violence"; and reasonable expectations of privacy in the context of emerging technologies (co-authored with Kristen Thomasen)); and Chandell Gosse (focusing on the social burden placed on TFVA survivors to prove the harms they experience are real).

This is What Diversity Looks Like Focus Groups

The eQuality Project research team extended This is What Diversity Looks Like to better understand what young Canadian internet users think of online privacy, how they protect it, and, their experiences with (in)equality issues. They hope to further investigate the social norms and strategies that young people rely on to regulate their self-expression as well as control what specific audiences have access to on social media platforms. They continued the research by conducting several focus groups with new Canadians. Once again, the data continues to counter the stereotypical argument that young people are a largely disinterested group when it comes to online privacy, and that they don't attempt to control the flow of their personal information and data.

POLICY AT A GLANCE

Creating digital media policies that respond to young people's needs, and to disseminate new knowledge to policy makers and members of the public.

Response to UN Convention on the Rights of the Child

The eQuality Project's Valerie Steeves penned *Taking Online Rights Seriously: Ensuring Children's Active Participation in Networked Spaces*, an NGO Report submitted in response to the 5th/6th Review of Children's Rights in Canada (Convention on the Rights of the Child). In the report, Steeves highlights the work of The eQuality Project on (in)equality issues in the networked environment, as well as the problems with protective and corporate surveillance – issues that were highlighted in her work with MediaSmarts (Young Canadians in the Wired World), as well as The eGirls Project and The eQuality Project.

Steeves then broke down her concerns with the CRC's report – namely the paucity of references to online issues and how they intersect with the rights of children, especially with the concerning developments in corporate and protective surveillance, and the fact that the CRC report is focused mainly on the criminal aspects of online privacy. She highlights the importance of online privacy when it comes to children's opportunities for communication, education, and play.

Taking Action to End Online Hate

In the summer of 2019, eQ partner Egale Canada appeared before The Standing Committee on Justice and Human Rights in relation to their study of online hate. eQ researchers Jane Bailey and Valerie Steeves,¹⁷ as well as eQ partners the Canadian Women's Foundation,¹⁸ and YWCA Canada,¹⁹ also filed written submissions to the Committee. *Taking Action to End Online Hate*²⁰ is the result of the Committee's study, which focused on finding legal and rights-based

solutions to the creation and dissemination of online hate on the basis of: race/ethnic origin, religion, age, gender identity, sexual orientation, etc.

eQuality's Jane Bailey, as a member of LEAF's Gender-Based Tech-Facilitated Violence Advisory Committee,²¹ recently participated in consultations with the Parliamentary Secretary to the Minister of Justice on these issues.

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18. <https://www.canadianwomen.org/wp-content/uploads/2019/05/CWF-submission-JUST-ctee-online-hate.pdf>

19. <https://www.ourcommons.ca/Content/Committee/421/JUST/Brief/BR10528526/br-external/YWCACanada-e.pdf>

20. <https://www.ourcommons.ca/Content/Committee/421/JUST/Reports/RP10581008/justrp29/justrp29-e.pdf>

21. <https://www.leaf.ca/legal/tfv/>

#:~:text=LEAF%20is%20concerned%20with%20the,requires%20a%20principled%20feminist%20response.

OUTREACH AT A GLANCE

Creating and disseminating educational and outreach materials to help Canadian youth make the most of their digital media experience.

#DisconnectChallenge Alberta

This past year, The eQuality Project partnered with The Alberta Teachers' Association and the Big Data Surveillance Project to coordinate the world's largest #DisconnectChallenge to date, involving over 11,000 students across Alberta, along with their teachers and families. The new initiative was based on the 2017 youth participatory action research (YPAR) project Steeves (together with Valerie Michaelson of Brock University) conducted with a group of teens in Kingston, Ontario. During this year's challenge Alberta students assessed how technology affected their connections with themselves, others, and nature. With support from their families and teachers, students documented their technology use over the course of one week, and undertook a one-week media fast: avoiding social media; nocturnal screen time; technology around the dinner table; internet browsing (apart from homework); texting (save for parents/guardians); and listening to music via headphones. After the media fast, students were encouraged to share what they learned through text, video, or artistic productions. Plans are underway for the #DisconnectChallenge to return in a further expanded format in 2021 across Western Canada.

The teenagers who instigated the original #DisconnectionChallenge of 2017 are again working with Steeves and Michaelson to design a second YPAR project entitled the #ConnectionChallenge to investigate the challenges of maintaining meaningful connections with friends and family via solely digital means after the closure of schools, universities, and workplaces in Canada in the wake of the COVID-19 pandemic. In addition, this new project will investigate the smaller kinds of human connection that are often

undervalued or overlooked, such as simply being in a public space, such as a coffee shop or park. The results of the #ConnectionChallenge will be published in 2021.

You Are What We Make You

The eQuality Project partnered with David Phillips and Andrea Villanueva to adapt Phillips' ClusterF*cked Fringe Festival play into a 15-minute film entitled You are What We Make You (YAWWMY). YAWWMY highlights the ways in which people are sorted and categorized by big data algorithms based on the information collected by corporations, how these data packets interact with each other, and how data manipulation can create vastly different outcomes for groups of users. By physically representing the kinds of assumptions big data algorithms make about tech users through the physical relocation of actors, YAWWMY visually explores the impact that discriminatory biases in these algorithms have on us all. The final cut of YAWWMY is now available on The eQuality Project's website,²² and a lesson plan for its use in schools and community outreach sectors will be developed in 2021.

Screening Surveillance

The Centre for Law, Technology and Society hosted the annual eQuality Project Lecture at the University of Ottawa, and featured the work of sava saheli singh, a post-doctoral researcher with the Big Data Surveillance Project led by David Lyon at Queens University. singh presented and screened one film from her Screening Surveillance series, which she developed while completing her PhD at the Surveillance Studies Centre at Queen's University.



Screening Surveillance is a short film series that uses near-future fiction storytelling based on research to explore the potential societal scenarios that arise out of the increased use of big data surveillance and the loss of privacy. Valerie Steeves and Jane Bailey joined sava for a Q&A session after the presentation and screening. CLTS recorded the event and posted it on their social media platforms.²³ Singh is in the process of developing a lesson plan to be posted on The eQuality Project's website in 2021.

Youth Speakers List

In partnership with the Canadian Race Relations Foundation, The eQuality Project has developed a list of youth speakers and allies that we have made available to our partners, stakeholders, and external interested parties. We sought to create a resource through which a diverse range of young people and their allies can amplify their messages, and allow The eQuality to help build a platform for the cross-promotion of discussions around issues of online (in)equality. A list of speakers, their biographies, and contact information are all available on The eQuality Project website.²⁴

Art Exchange

Building on The eQuality Project's Art Exchange Workshops in Toronto and Puerto Rico in 2018, The eQuality Project facilitated one workshop in Markham Ontario with the help of the Centre for Immigrant & Community Services, as well as a return trip to San Juan, Puerto Rico in order to facilitate a train-the-trainer workshop for teachers. The Art Exchange Workshop creates a space for young artists to develop art-based responses to (in)equality issues in the networked environment, exploring the role of art as a form of resistance. Participants are presented with a series of Imagination Primers that highlight ways youth

artists have used mixed media to resist online harassment, surveillance, sexism, homophobia, and racism, and then create their own art projects to promote a more just online environment. Resulting pieces of art have included a broad range of media, including: still life; video, audio; and, physically immersive pieces. You can find more information on past workshops on The eQuality Project website.²⁵

Lesson Plans

Over the course of 2019 and 2020, The eQuality Project has produced a series of lesson plans in order to further opportunities for the dissemination of, and engagement with eQuality Project research outcomes, including: Reputations and Law in the Online World (where students consider the role of the online world in facilitating attacks on reputation and defamation); Swiping Right: Navigating Online Dating (addresses online dating and intimate partner violence and provides practical guidance for creating strong, healthy relationships online); and, the #DisconnectChallenge Alberta (young people assess how technology and media affect their sense of connection with themselves, other people, and nature). A complete list of our lesson plans, available as downloadable .PDF documents are available on our website.²⁶

22. <http://www.equalityproject.ca/resources/yawwmy/>

23. <https://techlaw.uottawa.ca/events/equality-annual-lecture-screening-surveillance>

24. <http://www.equalityproject.ca/resources/youth-speakers-list/>

25. <http://www.equalityproject.ca/resources/art-exchange/>

26. <http://www.equalityproject.ca/resources/equality-lesson-plans/>

IN THE SPOTLIGHT

David Fewer

How/When did you become interested in issues around (in)equality?

Canada adopted the Charter of Rights and Freedoms when I was in grade school. Debate over individual rights dominated the news just as I was becoming aware of the world around me. That awareness translated into an interest in rights issues. In my teens I joined Amnesty International which prompted a curiosity about the law. A career in law followed.

How did you get involved with The eQuality Project?

My legal clinic, CIPPIC (the University of Ottawa's Samuelson-Glushko Canadian Internet Policy and Public Interest Clinic), was one of the original partners, and was also a partner of the eGirls Project. Our mandate is to intervene in public policy debates arising at the intersection of law and technology. The eQuality Project is a natural fit for what we do, and CIPPIC's focus on legal advocacy makes it a unique partner for the eQuality Project.

Are there opportunities to involve and engage with young people in your field? Why is that important?

An important part of CIPPIC's mandate is to engage in public outreach on our legal issues. Equality issues arise in many contexts of our work. We try to describe these issues in ways that are easy-to-understand and accessible to those without legal or technical training, including young people and journalists. Some of these issues, like regulation of artificial intelligence and privacy rights, are extremely important and will shape our rights and freedoms well into the future. The need for young people to understand and engage on these issues is vital to ensure that our political leaders adopt just policies and approaches.

What's working well in your area of work, and what needs improvement?

The Supreme Court of Canada has been decent on equality issues in recent years. CIPPIC intervenes in cases before the Supreme Court of Canada where we think a public-minded perspective can have a positive impact. For example, CIPPIC worked with Professor Jane Bailey to intervene in the recent criminal case of *R. v. Jarvis*, which was about voyeurism and the reasonable expectations of privacy of female employees and students. We argued for a normative and contextual approach to privacy that appreciates privacy's contribution to equality

interests. The Supreme Court decision approached these issues similarly to what we had advocated, finding strong privacy protections against voyeurism. On the other side of the coin, we still face challenges to equality among lower courts and law enforcement. *R. v. Jarvis* offers a good example, where the Ontario Court of Appeal decision reflected a fundamental misunderstanding of the values privacy rights embody, with unfortunate and harmful effects on equality rights.

What's one piece of advice that you'd offer someone starting out in your field?

Get involved. I would tell any young student working towards a career in public interest law to get involved in discussions, debates, and events in their field. That means educating yourself by reading up on the issues – from both supporting and contrary thinkers – but also joining in discussions at events and on social media. Write out your thoughts and raise your voice. Advocates advocate.

What would you like to see as a long-term outcome of The eQuality Project Partnership?

Our partnership with the eQuality Project offers an excellent opportunity to combine CIPPIC's legal expertise with subject matter experts, and to bring that expertise to bear in legal debates that will have an impact upon privacy rights. Whether court cases, Parliamentary debate, law reform, or the preparation of effective public education materials, our partnership has the potential to influence decision makers and to promote equality in Canada.

Is there a particular quotation that inspires you?

Hello babies. Welcome to Earth. It's hot in the summer and cold in the winter. It's round and wet and crowded. On the outside, babies, you've got a hundred years here. There's only one rule that I know of, babies—God damn it, you've got to be kind.

Kurt Vonnegut is one of my favourite writers. This short snip from his novel, *God Bless You, Mr. Rosewater*, captures everything I love about him: his iconoclasm, his crisp writing, and his wit, whimsy and wisdom. This line is about perspective and character: we're all in this together, so how we treat one another matters. We don't often think of Vonnegut as a moral philosopher, but I've often found strength in this simple statement of moral guidance.

eQuality

THE NUMBERS

Research Publications Research Assistants

13 17

Lesson Plans Conference Presentations

04 16

Policy Interventions Tweets

05 4,200

Workshop Participants Partners & Stakeholders

18 24

WHO W

We are a partnership of academic researchers, community organizations, educators, policy-makers, and civil society groups working with youth to identify evidence-based practices and policies that promote healthy relationships and respect for privacy and equality online.

We are working together to create new knowledge about young people's experiences and needs with respect to networked technologies. Our research is informed by participatory action methods that see young people as equal participants in the knowledge-creation process. We are also committed to using intersectional methods that explore how social location affects young peoples' sense of self and opportunities. We will use the new knowledge we develop to create innovative education, policy and public engagement initiatives (such as classroom modules, media production-based learning activities for youth, workshops, train the trainer programs, policy intervention toolkits, and an online repository of multi-media materials) to help parents, teachers, school administrators, communities and policymakers work with youth.

WHAT

WE ARE

PROJECT CO-LEADERS:

Valerie Steeves
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Karen Lousie Smith

PROJECT COORDINATOR:

Robert Porter

OUR PARTNERS

The Alberta Teachers' Association
The Canadian Centre for Gender &
Sexual Diversity
Canadian Internet Policy and Public
Interest Clinic

Canadian Race Relations Foundation
Canadian Teachers' Federation
Canadian Women's Foundation
Centre for Law, Technology & Society
Egale Canada Human Rights Trust
George Mason University
Government of Alberta
Human Rights Research and Education
Centre
MediaSmarts
Ottawa Coalition to End Violence
Against Women
Outside of the Shadows
UNICEF Canada
University of Ottawa
University of Toronto
University of Western Ontario
The Vanier Institute of the Family
Women and Gender Equality Canada
YWCA

FRIENDS OF EQUALITY:

The Information and Privacy
Commissioner of Alberta
The Information and Privacy
Commissioner of Ontario
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Michael McDonald
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WE DO

2019

2020

Annual
Report