

# Sexualized Cyber-bullying and Sexual Assault: Threats to Women, Men and Society

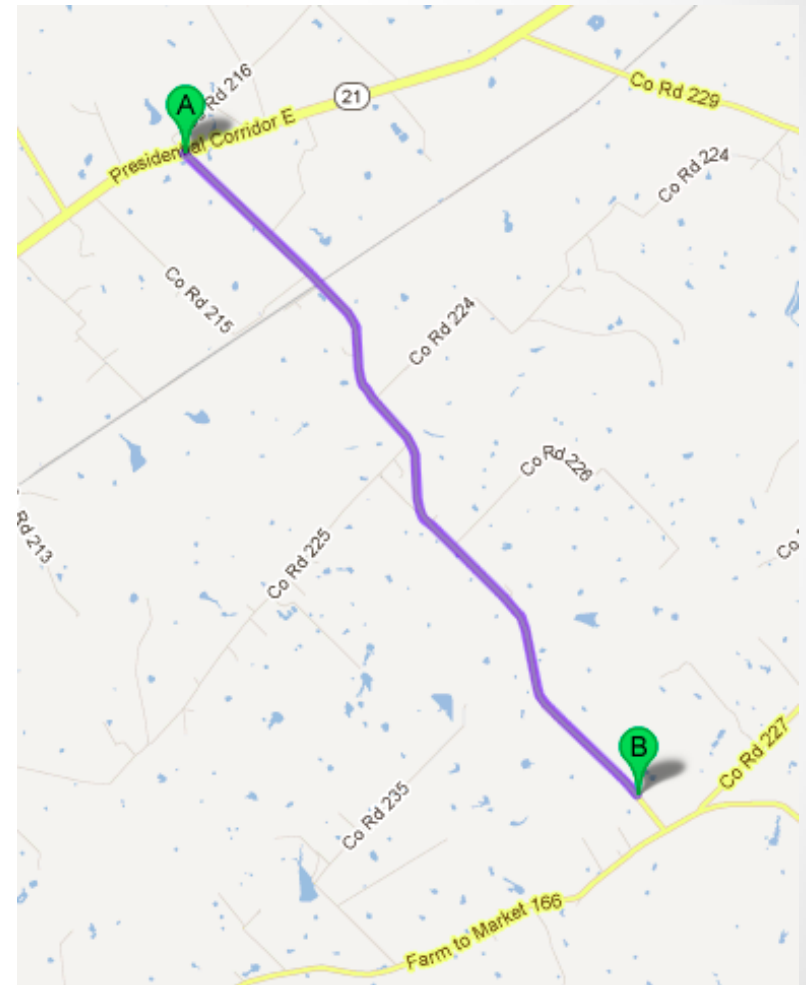


- A Wayne MacKay  
Professor Emeritus  
Schulich School of Law at Dalhousie

Bridgewater, N.S.  
Best Western Hotel  
October 3, 2018

# Roadmap

- I. Rape culture recap
- II. Social media & belonging
- III. Cyberbullying
- IV. Solutions
  - Legal solutions
  - What else can we do to improve our community?



# I. Rape culture recap

- Transforming a culture that focuses on consent instead of accepting sexualized violence as normal



## II. Rape culture & criminal justice

- “**Rape culture** concerns the way societal attitudes **condone, minimize**, and/or **normalize sexual violence** against women through social institutions, communities, and individuals.”
  - p. 281 of *eGirls, eCitizens* edited by Jane Bailey and Valerie Steeves



*Tweet expressing sympathy for the perpetrators in Steubenville*



# II. Rape culture & criminal justice

**Consent  
Culture**

**Rape  
Culture**

Street harassment

Intimate  
Partner  
Violence

Sex positivity



Consensual sexting

Coercive  
sexting

Sexual assault

Revenge porn

Jian  
Ghomeshi

Body positivity

Sexualized  
online  
harassment

Normalization  
of sexual  
violence

Respectful  
relationships

## II. Rape culture & criminal justice



Image source:  
[http://i.cbc.ca/1.3312505.1447179035!  
/fileImage/httpImage/image.jpg\\_gen/  
derivatives/16x9\\_620/justice-  
robin-camp.jpg](http://i.cbc.ca/1.3312505.1447179035!/fileImage/httpImage/image.jpg_gen/derivatives/16x9_620/justice-robin-camp.jpg)

- **Rape culture** is evident when a judge makes statements like:
  - “Sex and pain sometimes go together, that — that’s not necessarily a bad thing.”
  - “Why couldn’t you just keep your knees together?”



# III. The scope of the problem: sexual assault statistics

- Nova Scotia has the highest rate of sexual assault in Atlantic Canada → **63 reported incidents per 100,000 people** in 2013-2014
- **88%** of sexual assaults are never reported to police → on this basis we can extrapolate that there were **525 incidents of sexual assault per 100,000 people** in Nova Scotia in 2013-2014, and **approximately 4945 total incidents** based on a population of ~942,000 people

# III. The scope of the problem: sexual assault statistics

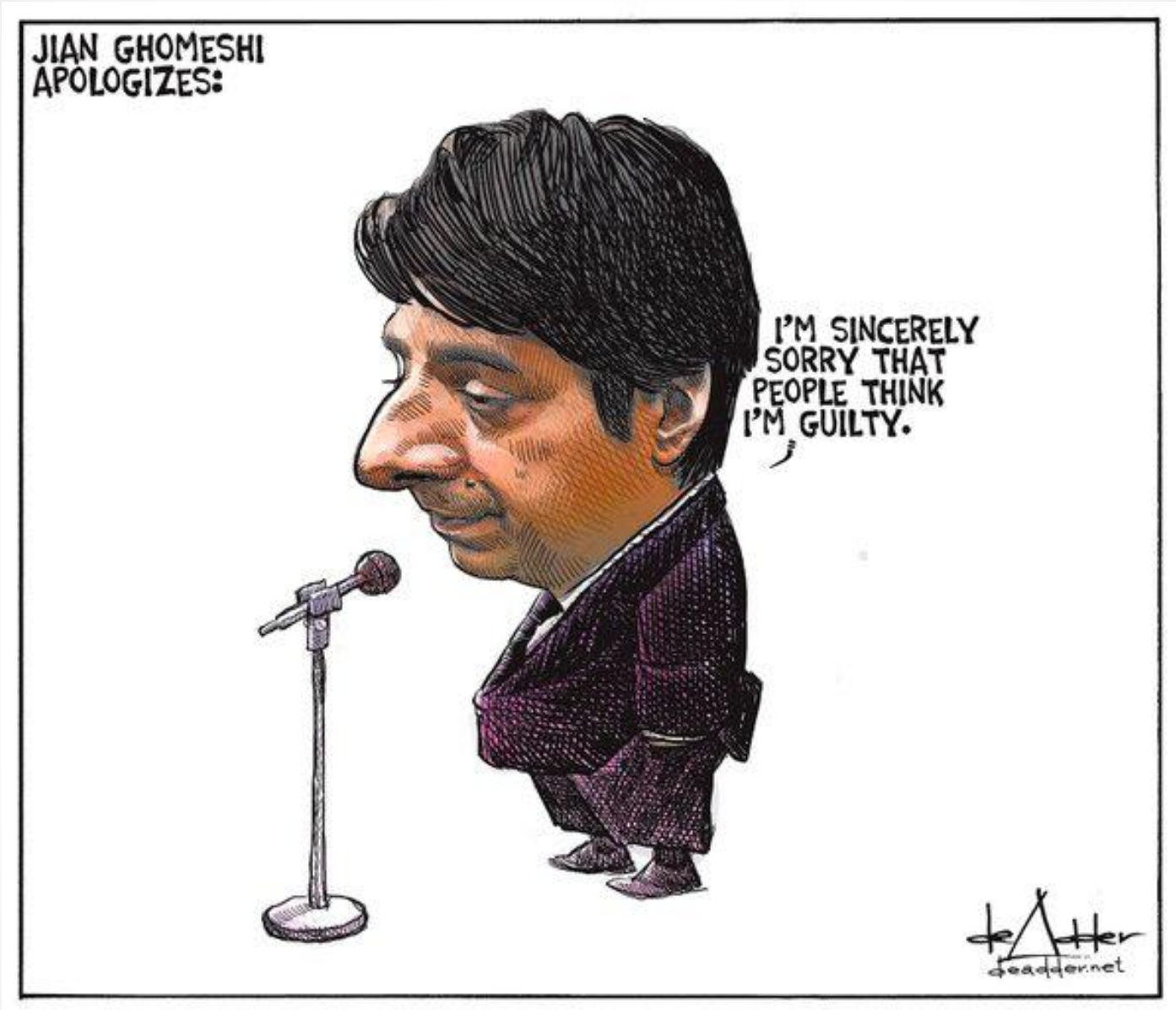
- According to data collected in Nova Scotia from 2010-2014 **of the 12% of assaults that ARE reported** to police:
  - Only **22%** led to charges within 5 years
  - **78%** do not lead to charges
  - **41%** of reports are closed with **no further action** by police



Image source:

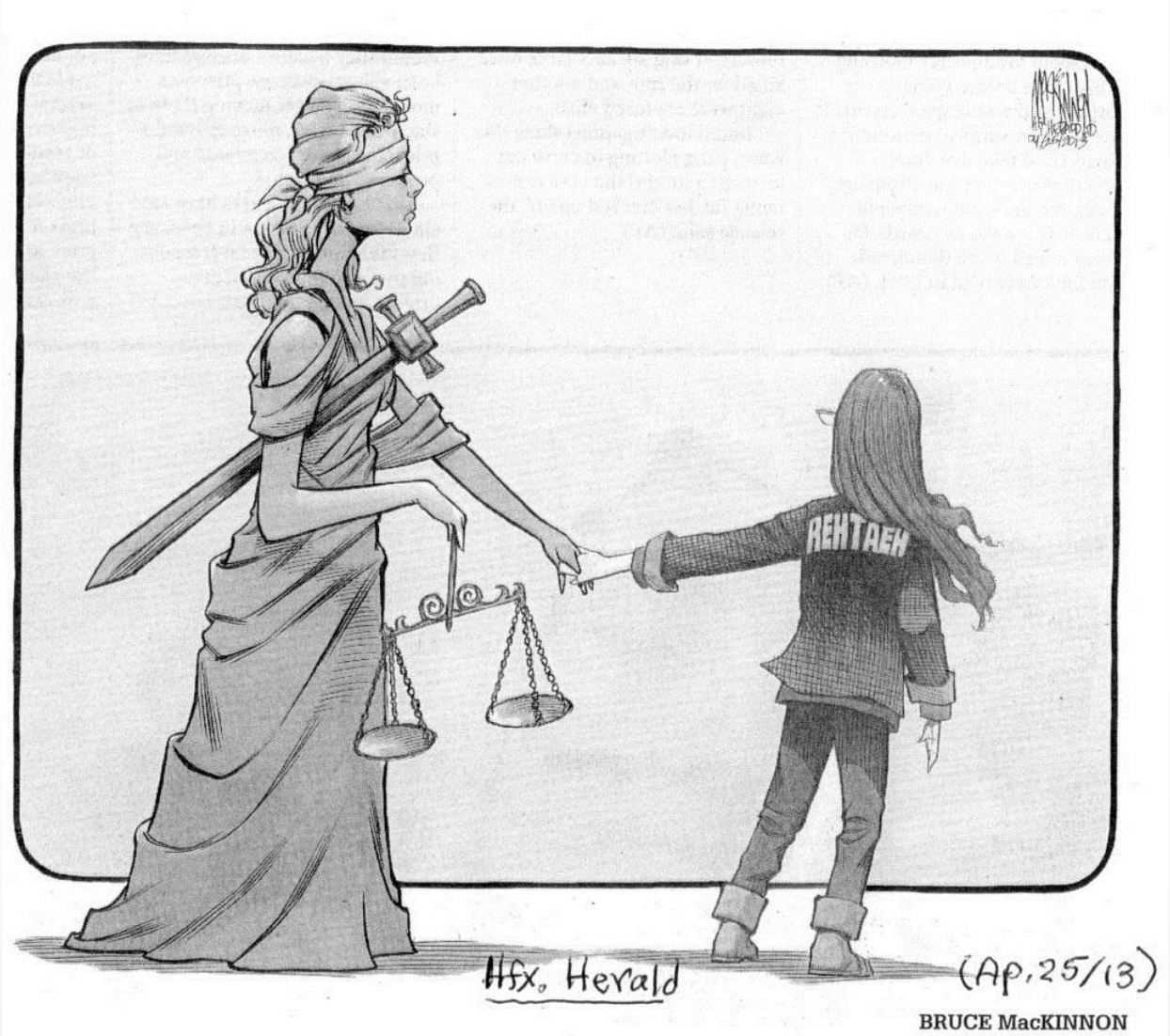
<http://www.rmfeducation.org/sites/default/files/field/image/Crisis%20Button4x2.png>





Political cartoon by Michael de Adder, May 11, 2016.

# The human cost of of incremental progress



## II. Social media & belonging



When they visualized connections between friends at Facebook, a map of the world emerged. Missing: China, where Facebook is blocked.

Fun fact: this map was made by an intern at Facebook who is originally from Halifax.



# III. Cyberbullying

- The exclusive and isolating part of social media



Some famous faces, including Retaeh Parsons (Dartmouth), Amanda Todd (BC), Courtney Brown (Parrsboro), and Jamie Hubley (Ottawa).

# Task Force Finding: Consequences

- In extreme cases, particularly sexualized cases or those involving intimate images, “tainted” Google search results follow victims when it comes time to apply for jobs or other opportunities



# A Three-Pronged Response

- Peers, parents, governments, community organizations, internet providers, and law enforcement all have a role



Educators have a special role in teaching digital citizenship because cyberbullying interferes with the development of a child's fullest potential per Article 29 of the UN Convention on the Rights of the Child



# IV. Solutions

There are some legal limits on online behaviour



# IV. Solutions

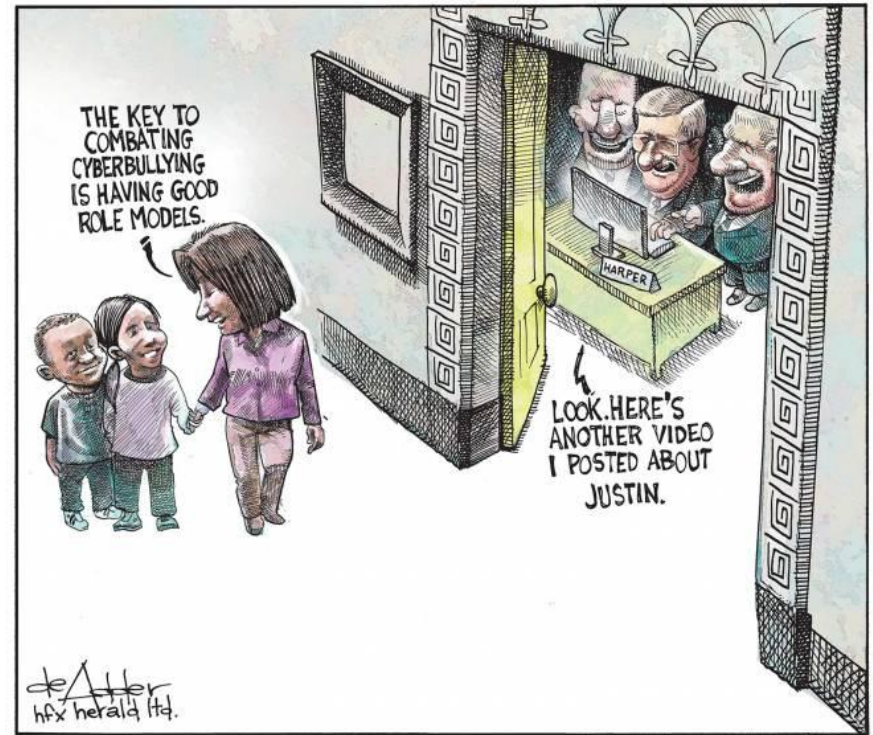
There are some legal limits on online behaviour

- Federally: *Criminal Code*
  - Criminal harassment
  - Sexual assault
  - Child pornography
  - Distribution of intimate images
- Provincially in Nova Scotia
  - *Cyber-Safety Act*
  - NS Human Rights Code – harassment section
  - *Education Act* – discipline section on cyberbullying

# IV. Solutions

Things we can do to improve our community:

- Increase empathy
- Better role models



# Cyberbullying & Cultural Change

- Monica Lewinsky described herself as “patient zero” in the cyberbullying epidemic
- “In 1998, I lost my reputation and my dignity. And I almost lost my life.”
- She attributes the problem to an “empathy deficit”
- Empathy is impossible to legislate, but empathy-building through education is vital to cultural change

Lewinsky delivering  
her March 2015  
TEDTalk in  
Vancouver, Canada



# Further Reading

- Full Nova Scotia Cyberbullying Task Force Report:  
[antibullying.novascotia.ca/taskforce](http://antibullying.novascotia.ca/taskforce)  
[ce](http://antibullying.novascotia.ca/taskforce)
- “Law as an Ally or Enemy in the War on Cyberbullying: Exploring the Contested Terrain of Privacy and Other Legal Concepts in the Age of Technology and Social Media” <https://ciaj-icaj.ca/wp-content/uploads/documents/import/2014/878A.pdf?id=609>

