

Responding to Disclosures of Sexual Violence on University and College Campuses in Ontario

Cyberbullying Legislation

It is an offence under Canada's Criminal Code to share intimate images of a person without the consent of the person in the image. This offence came into force on March 10, 2015. This law applies to everyone, not just people under 18. With digital technology rapidly changing, there has been an increase of cyberbullying in the form of distributing intimate or sexual images without the consent of the person in the photo or video. The impact of this kind of cyberbullying can be devastating to a person's self-esteem, reputation and mental health.

Judges now have the authority to order the removal of intimate images from the Internet if the images were posted without the consent of the person or persons in the image. Anyone convicted of distributing an intimate image without consent could face serious legal consequences.

An “intimate image” is defined as an image that depicts a person engaged in explicit sexual activity or that depicts a sexual organ, anal region or breast – or where there person depicted had a reasonable expectation of privacy at the time of the recording and had not relinquished his or her privacy interest at the time of the offence. <https://www.getcybersafe.gc.ca/cnt/cbrllng/prnts/lgl-cnsqncs-en.aspx>

Victims of cyber harassment and stalking experience emotional and psychological trauma. Sexual violence perpetrated through technology, such as harassing text messages, sharing or threatening to share intimate photographs, audio or video recordings are highly intrusive and threatening and can publicly humiliate a victim. The psychological and emotional consequences of an assault can be compounded when social media is used to harass or discredit a victim.

http://www.citizenship.gov.on.ca/owd/english/ending-violence/campus_guide.shtml#toc3avii

Organizations have a responsibility to maintain poison-free environments. To this end, they must be aware of the potential discriminatory effects when online technology is used on their premises for improper purposes. <http://www.ohrc.on.ca/en/policy-preventing-sexual-and-gender-based-harassment/2-identifying-sexual-harassment>

See also [Sexual Violence and Online Environments](#)

Cyber Misogyny

“Cyber misogyny refers to the various forms of gendered hatred, harassment, and abusive behaviour targeted at women and girls via the internet. It draws attention to the discriminatory nature of this behaviour, which occurs within a context of power and marginalization. In this way, cyber misogyny is a more nuanced term than the more general “cyberbullying”...Technology therefore facilitates the proliferation of gendered hate and harassment”. (Centre for Research & Education on Violence Against Women and Children)

http://www.vawlearningnetwork.ca/sites/vawlearningnetwork.ca/files/LN_Breif_28.pdf