

Minister of Public Safety



Ministre de la Sécurité publique

Ottawa, Canada K1A 0P8

MAY 01 2013

The Honourable Mobina Jaffer  
Chair, Standing Senate Committee on Human Rights  
The Senate of Canada  
Ottawa, ON K1A 0A4

Dear Senator Jaffer,

On behalf of the Government of Canada, it is my privilege to provide the following response to the recommendations of the Ninth Report of the Standing Senate Committee on Human Rights: "Cyberbullying Hurts: Respect for Rights in the Digital Age."

I would like to begin by commending the hard work and efforts of this Committee. You have dedicated months of careful study to this topic, hearing firsthand from expert witnesses, and from young people themselves, how troubling the issue of cyberbullying is, and how widespread the phenomenon has become. Your report illuminates the many facets of this complex problem, while underscoring Canada's international obligations to protect the rights of our children and youth to be safe from physical and mental harm.

Our Government is deeply committed to ensuring the safety, health, and well-being of our most vulnerable citizens, and as such, preventing offending and victimization is a priority for us. We know that cyberbullying typically originates from traditional schoolyard bullying, and both are associated with a range of antisocial behaviours that contribute to offending and violence. Moreover, given that cyberbullying and bullying involve forms of violence and harm against children and youth, and have long-lasting consequences, they are areas of grave concern for this Government. As our Prime Minister said recently, "What we are dealing with in some of these circumstances is simply criminal activity. It is youth criminal activity, it is violent criminal activity, it is sexual criminal activity, and it is often internet criminal activity."

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As the centre of expertise within the federal government, Public Safety Canada's National Crime Prevention Centre (NCPC) supports interventions to divert at-risk young people from offending behaviour by advancing evidence-based intervention approaches, as well as developing and disseminating practice-oriented crime prevention knowledge. Since 2007, the NCPC has funded approximately 30 projects focusing on youth violence and bullying. Bullying was more recently identified as one of the NCPC's priorities for the 2012 Crime Prevention Action Fund (CPAF) call for proposals. Furthermore, the NCPC's progressive strategy for crime prevention incorporates a framework that provides measurable results for Canadians by being innovative, flexible, and responsive; it continually monitors and integrates emerging Government priorities, is attuned to the needs, capacities, and expectations of communities across the nation, and tests international best practices within the Canadian context. Its engagement in all of these activities means that the NCPC is exceptionally well-positioned to contribute to reducing factors involved in antisocial behaviours like cyberbullying and bullying. As well, its robust partnerships with key stakeholders and substantial history of civic investment reflects the "whole community approach" that the Committee has endorsed.

The NCPC's crime prevention activities are complemented by other federal initiatives. Education, awareness-raising, and knowledge-building activities are essential components of cyberbullying and bullying prevention. As such, the Public Health Agency of Canada's (PHAC) research on the prevalence of bullying and cyberbullying, gender-based differences, as well as related health and social outcomes, allows this Government to monitor the health and safety of our children and youth. The Royal Canadian Mounted Police (RCMP) and the Department of Justice (DOJ) are involved in public education activities, and working with provinces and territories to raise awareness among communities, schools, parents, and young people, in order to better ensure that our children and youth have the tools to protect themselves from becoming victims.

We must also be prepared to take steps, when necessary, to send a clear message that threats of violence and harm against our children and youth will not be tolerated. Measures to respond to serious cyberbullying or bullying behaviour are already covered by many *Criminal Code* offences, including, but not limited to, those relating to child pornography (s. 163.1), criminal harassment (s. 264), incitement of hatred (s. 319), extortion (s. 346), and intimidation (s. 423(1)). The Government will continue to work

with provinces and territories to explore whether gaps in the *Criminal Code* remain. We have already met with provincial and territorial Ministers of Justice and Public Safety at a Working Group roundtable in Regina to hear their concerns, and to continue to address issues and find solutions for cyberbullying.

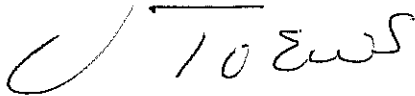
As detailed in Appendix A of this letter, our present course of action reflects the Committee's proposed "whole community approach," which calls on the Government to engage young people, parents, schools, corporations, academics, community organizations, provinces, and territories in order to prevent and deter cyberbullying and bullying. Any coordinated strategy is, by nature, diverse and expansive, and must, at its core, involve all levels of government and the public working in concert to address these issues. As you will see, the Government has already taken steps to address the problems of cyberbullying and bullying, and some of our activities will undoubtedly be familiar to you, given that they were discussed during the Committee hearings. Building on our successes and lessons learned, we will continue to dedicate efforts to tackling these issues while taking into account the recommendations of the Committee.

Given that responses to cyberbullying and bullying require encouraging healthy relationships as well as deterring antisocial behaviour, they must be multi-sectoral and involve education, health, public safety, and justice. Thus, we will continue to promote federal-provincial-territorial partnerships, and build on a coordinated federal approach. Close collaborations with our provincial and territorial counterparts are crucial to addressing these issues, as is achieving better linkages and dialogue among the various domains of education, health, public safety, and justice. Moreover, we will continue discussions with other vital stakeholders, including children, youth, and industry partners.

We believe that through these already existing and improved measures, the Government will protect the young people of Canada against the threat of cyberbullying, as well as instill a sense of "digital citizenship," accountability, and empowerment. Our ultimate goal is to ensure community safety by promoting the healthy, prosocial development of our young citizens, while simultaneously being vigilant in preventing victimization against them. We also continue to be dedicated to tackling youth crime and violent crime, so as to ensure that a range of antisocial behaviours are dealt with effectively, and ultimately, deterred.

I thank the Committee once again, for their untiring commitment to this issue, and diligent perseverance to not only reducing the serious impacts of cyberbullying on our children and youth, but promoting social awareness, responsibility, and human rights.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Vic Toews". The signature is written in a cursive style with a horizontal line above the name.

Vic Toews, P.C., Q.C., M.P.

Enclosure: (1)

## GOVERNMENT ACTIVITIES ADDRESSING CYBERBULLYING AND BULLYING

### 1. PREVENTION (*aligned with Recommendations 1, 2, 3, 4, and 5*)

Prevention is a tiered strategy that combines education/awareness activities, targeted prevention initiatives, and enforcement/suppression responses. The Government uses this balanced approach to tackle the problem of cyberbullying and bullying, as it meets the needs of the general population, while simultaneously providing additional levels of support and intervention when the problems are more severe.

#### (a) Education/Awareness

Public education activities are those administered to the general population, with the goal of providing information designed to increase awareness and knowledge to prevent certain forms of harmful behaviour.

Health Canada, in collaboration with Public Safety Canada (PS), and through the *Healthy Canadians* and *Canadiens en santé* social media and website platforms, undertakes public outreach activities on health issues, including bullying and cyberbullying. In February 2013, posts designed to raise awareness of bullying on the *Healthy Canadians* and *Canadiens en santé* Facebook<sup>®</sup> pages were seen by over 500,000 people and shared more than 6,500 times.

The Royal Canadian Mounted Police (RCMP) has been at the forefront of an extensive array of education and awareness activities, primarily targeted at children and youth. In 2009, the RCMP, in collaboration with other police agencies, developed the National Youth Officer Program, which provides training for front-line Youth Officers on current knowledge and skills required to support effective youth engagement and initiatives. The program also shares resources and best practices via the RCMP's Youth Resource Centre (YRC). The YRC provides officers working in over 5,000 schools across the country with cyberbullying lesson plans to teach youth how to recognize, respond to, and prevent cyberbullying behaviour.

In collaboration with the Promoting Relationships and Eliminating Violence Network (PREVNet, a national network of Canadian researchers and youth-serving organizations),

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the Rock Solid Foundation (a non-profit crime prevention group in Victoria, B.C.), and researchers at the University of Victoria, the RCMP launched a pilot of Walk Away, Ignore, Talk it Out, Seek Help (WITS) in 2011. WITS is an evidence-based victimization and bullying prevention program that involves training officers on how to understand and prevent bullying in elementary school children. During the pilot phase, RCMP officers from rural and remote sites from six provinces were trained in the WITS program, and engaged 14 schools and approximately 1,300 children in the program's activities. Since then, the WITS program has expanded and is now supported by the RCMP in 50 schools and has engaged over 8,800 WITS students. The Public Health Agency of Canada (PHAC) also provides funding through the Innovation Strategy to study the effectiveness of WITS in preventing peer victimization and increasing prosocial behaviours among elementary school children, and to support the widespread implementation of the WITS program in elementary and middle schools across Canada.

At the community level, the RCMP works with community partners to implement local anti-bullying initiatives. For example, the Antigonish RCMP and the St Francis Xavier Department of Athletics and Recreational Services jointly developed the X-Out Bullying program, which sends teams of RCMP officers and varsity athletes to deliver presentations and engage youth in brainstorming sessions on bullying. The Antigonish RCMP have also partnered with their local Crime Stoppers to launch a youth-led anti-bullying program called Eliminating Victimization Action Committee (EVAC). Through this program, implemented in a local high school, the Crime Stoppers number was printed on each student identification badge, for easy reporting when they were victimized by bullying, or witness to such incidents.

Outside of the school environment, the RCMP operates the DEAL.org website, which is a by-youth, for-youth, web-based program that offers resources to youth, parents, and educators on issues such as bullying and cyberbullying. Its content includes fact sheets on cyberbullying awareness, an interactive anti-cyberbullying game, and blogs written by youth. In addition to this web-based resource, the RCMP has also used social media as an outreach mechanism. During a week-long awareness campaign in November 2011, they used Facebook<sup>®</sup> and Twitter<sup>®</sup> to post information on bullying, ways to deal with bullying, bullying myths, and youth-lead initiatives that aim to reduce bullying. This social media campaign was reintroduced in 2012 during *Bullying Awareness Week*. Using a more traditional medium, the RCMP National Crime Prevention Services and the RCMP Musical Ride produced an anti-cyberbullying trading card in 2011, which they distributed at Musical Ride performances throughout Canada. Dissemination of the card will continue during the 2013 Musical Ride tour.

Related to cyberbullying prevention is the concept of educating the public on staying safe online. Launched in October 2011, and funded by PS, Get Cyber Safe is a multi-year, national public awareness campaign created to educate Canadians about Internet security and the simple steps that they can take to protect themselves online. The campaign brings together all levels of government, the public and private sectors, and the international community, to help Canadians be safer online. It also includes limited messaging and outreach efforts related to online safety for children. Through a dedicated campaign website ([GetCyberSafe.ca](http://GetCyberSafe.ca)) and social media presence, as well as through other communication and outreach efforts, the Government of Canada's goal is to increase awareness of online threats and make cyber safety and security as much a part of daily life as the Internet is.

Another awareness-raising tool funded by PS is [Cybertip.ca](http://Cybertip.ca), created under this Government's National Strategy for the Protection of Children from Sexual Exploitation on the Internet. It is operated by the Canadian Centre for Child Protection, a charitable organization that focuses on safeguarding the personal security of children, with a focus on reducing child victimization. The website includes a range of interactive tools and educational materials for parents, educators, and youth, which may contribute to preventing certain forms of cyberbullying through the promotion of safe internet use and the healthy use of information and communication technologies (ICTs). In particular, new tools have been developed to address the growing phenomenon of self/peer exploitation, linked to cyberbullying behaviour whereby self-produced images are subsequently distributed or used in an exploitive or bullying manner.

In addition to reaching out to children and youth, regarding self/peer exploitation, parents and schools can also make use of a new resource guide titled "School and Family Approaches to Intervention and Prevention: Addressing Self/Peer Exploitation." This guide was created in consultation with educators, law enforcement officers, crown prosecutors, child development experts, and psychologists, and is intended to help educate school personnel and families about the issue of self/peer exploitation. The guide also offers information on proactive methods to prevent self/peer exploitation incidents, provides advice on how to minimize any negative impact on youth should an incident occur, and educates youth on the potential criminal ramifications of this type of activity. The goal is to distribute this Resource Guide across Canada to all middle and high schools, school-based police officers, child exploitation units, and crown prosecutors.

(b) Targeted Prevention

Targeted prevention initiatives focus on children and youth at risk for engaging in cyberbullying and bullying behaviour. Research has consistently shown that early intervention programs can successfully interrupt factors associated with the development and continuation of antisocial behaviour. Thus, the National Crime Prevention Centre (NCPC), within PS, provides time-limited funding to communities for crime prevention interventions with high-risk children and youth. Working closely with provincial/territorial partners and stakeholders, including law enforcement agencies, academics, community organizations, school boards, band and tribal councils, and professional associations, the NCPC has developed and implemented evidence-based programs that focus on specific crime issues across Canada.

From 2007 to 2012, the NCPC funded approximately 30 projects focusing on youth violence, and indirectly, cyberbullying, and traditional bullying. These projects target many of the underlying risk factors that contribute to antisocial behaviours, for example: lack of social skills, poor school achievement, antisocial peers, substance abuse, aggression, family conflict, poor self-management, and low school attachment. Typically, bullying and cyberbullying prevention programs incorporate elements of conflict resolution, decision making strategies, healthy relationships, communication skills, and positive school and community involvement. Some examples of NCPC-funded projects are described below, including some gender-specific prevention programs:

- **Stop Now and Plan (SNAP)** is a cognitive-behavioural strategy that helps children and parents regulate angry feelings by getting them to stop, think, and plan positive alternatives before they act impulsively;
- **Spirit Girls** is a gender-specific intervention that focuses on girls with multiple risk factors who display aggression and offending behaviour like bullying, theft, and assault. The project uses a relationship-based approach to build trust and learn prosocial skills, and facilitates the process of connecting or reconnecting with their schools, their communities, peers, families, and positive role models;
- **Reconnecting Youth** is a school-based prevention program designed as a semester-long class for at-risk high-school youth. It is a proactive approach to the co-occurring problem behaviours (such as substance abuse, aggression, depression, or suicide risk) often observed in youth at risk of dropping out of high school;
- The **Leadership and Resiliency Program (LRP)** aims to develop positive relationships, coping strategies, and assist with goal-setting through a mixture of group, community service learning, and adventure activities. It supports resiliency factors to promote optimum youth development;



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- **Alternative Suspension** targets secondary school students who are experiencing difficulties in their academic and social development, and tries to help them better integrate into school life, and adjust positively to the school environment. This program has been shown to reduce the risk factors associated with dropping out of school;
- **Girls Circle** offers at-risk girls, aged 10 to 12 years, a structured support group that integrates relational theory, resiliency practices, and skills training, so as to increase positive connections, personal and collective strengths, and social competence;
- The **Strengthening Families Program** aims to reduce risk factors or behavioural problems and social problems among at-risk children and families, and increase protective factors by improving family relationships, communication skills, emotional and anger management, problem solving skills, and parenting skills;
- The **Botvin Life Skills Training** program is a school-based prevention program designed to educate youth through knowledge and skill development, specifically related to developing skills to resist peer pressure, promoting positive self-image and effective problem-solving skills, as well as building healthy relationships; and
- **Project Venture** is an outdoor experiential youth development program developed by the National Indian Youth Leadership Project (NIYLP). It targets Aboriginal youth in grades 5 to 9 and encompasses classroom-based activities, outdoor activities, adventure camps, and community-oriented service learning.

In light of rising public concern over bullying, and in consideration of current federal, provincial, and territorial efforts on the issue, the NCPC included “bullying in schools” as a priority thematic for its latest Crime Prevention Action Fund (CPAF) call for project proposals in the fall of 2012. This will allow the NCPC to test specific evidence-based bullying prevention interventions, and further build the knowledge-base of what works in the Canadian context.

### (c) Suppression and Enforcement

In situations where education/awareness activities and targeted prevention programs are unsuccessful, suppression initiatives that discourage cyberbullying and bullying behaviours, and divert youth from criminal offending, may come into play. This includes the enforcement of penalties and legislation if necessary.

Since 1995, the RCMP has endorsed restorative justice within its community policing service delivery model as part of a diversionary and community development strategy. Restorative justice emphasizes reparation, mediation, and reconciliation between the offender(s), victim(s), and community, rather than punishment. In partnership with federal, provincial, and territorial governments, aboriginal groups and individual communities, the RCMP trains police and citizens throughout Canada in restorative

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justice practices. Some Youth Officers also use restorative justice approaches within the school environment.

Extrajudicial measures such as restorative justice, and referrals of youth to address underlying causes of criminal behaviour, allow police to consider what is in the best interests of everyone responsible for, and affected by, a criminal event. The RCMP authority to apply extrajudicial measures is derived from the *Youth Criminal Justice Act* (YCJA). The application of extrajudicial measures varies across the country, depending on community resources and local priorities. In some jurisdictions the RCMP plays an active role in identifying youth at risk and managing a youth's file throughout the referral process. In other jurisdictions the RCMP will refer the youth to a community resource to manage the youth's file, make referrals to treatment programs, and/or track compliance.

On another front, in conjunction with its education mandate, Cybertip.ca provides a valuable service to police across Canada by analyzing and triaging reports and forwarding only relevant leads to the appropriate law enforcement agency. Reports of material that is not illegal in nature are responded to with educational information. As such, police forces can devote the maximum resources to investigations. In 2005, Cybertip.ca started receiving reports directly from youth dealing with issues pertaining to self/peer exploitation. In fact, 5% of the tipline's reports are entered by youth ranging from 12 to 17 years of age, with 60% reporting their concerns under the incident type of child pornography. Although not all peer/self exploitation constitutes child pornography, these issues are related, and linked to cyberbullying. A new site called needhelpnow.ca has been created to assist and support youth who have made the mistake of sending sexual images of themselves to peers. The purpose of this site is to empower youth with tips on removing content from popular websites, strategies for addressing peers and moving forward in a productive and positive way, as well as information on the potential *Criminal Code* violations of engaging in this activity.

Additionally, under Bill C-22, *An Act respecting the mandatory reporting of Internet child pornography by persons who provide an Internet service*, which came into force on December 8, 2011, suppliers of Internet services to the public, including those who provide electronic mail services, Internet content hosting services, and social networking sites, are required to report to a designated authority tips they receive about web sites where child pornography may be publicly available.

2. **KNOWLEDGE DEVELOPMENT** (*aligned with Recommendations 1 and 6*)

Underlying all prevention activities is the need for knowledge on effective practices and strategies. As a knowledge centre on what works in crime prevention, the NCPC has developed publicly available resources on evidence-based interventions to address bullying. In the last few years, the NCPC published articles examining the nature of bullying in Canada, along with an overview of effective anti-bullying programs. Publication titles include:

- *Bullying prevention: Nature and extent of bullying in Canada;*
- *Bullying prevention in schools;*
- *First steps to stop bullying – Adults helping children aged 4-11; and*
- *First steps to stop bullying – Adults helping children aged 12-17.*

PHAC also supports research on cyber-bullying, bullying, and healthy relationships through the Health Behaviour in School-aged Children study (HBSC). Primarily funded by PHAC, the HBSC is an international research effort that provides nationally representative data on a range of health behaviours and outcomes among children between the ages of 11 and 15. Since 2006, this study has asked about electronic or cyberbullying (i.e. computer postings, emails, digital photos, or cell phone harassment), in order to collect data on this emerging phenomenon. It also provides insight into gender-based differences, to explore how boys and girls may be differentially involved in cyberbullying.

To complement its research on the extent of electronic bullying issues in Canada, PHAC has been working to disseminate information on evidence-based violence prevention programs via its Canadian Best Practices Portal. The Portal features information on anti-violence and health-promotion programs for the home, school, and community environments, separated by age groups, and provides links to other repositories of information for interested parties. These programs were chosen through a systematic review conducted by PREVNet, which examined violence prevention programs from around the world to identify 38 effective interventions.

3. **STAKEHOLDER ENGAGEMENT** (*aligned with Recommendations 1, 4 and 5*)

Close collaborations with stakeholders is another key factor in addressing the problems of cyberbullying and bullying.

The NCPC regularly engages with the provinces and territories to share information on effective crime prevention, and coordinate prevention programs and activities in communities across Canada. The NCPC also participates in the Federal-Provincial-Territorial Working Group on Crime Prevention and facilitates discussions on crime-related concerns and prevention issues. In the coming years, the NCPC will likely play an expanded role through the National Crime Prevention Strategy (NCPS), given that the Federal/Provincial/Territorial Ministers of Justice and Public Safety have recently identified crime prevention as a priority. Moreover, at their most recent meeting in October 2012, the Ministers agreed that the protection of Canada's children and youth is of paramount importance, and that cyberbullying is a serious problem in the crime prevention context. In doing so, they formed a committee of senior officials, led by the Department of Justice (DOJ), tasking them to explore gaps in the *Criminal Code* on cyberbullying and the non-consensual distribution of intimate images.

Likewise, PHAC has a federal-provincial-territorial exchange framework in place. Through its on-going collaboration with the Joint Consortium for School Health (JCSH), PHAC works with provincial and territorial ministries of health and education to share knowledge, build capacity, and provide leadership on shared priorities on school-aged children within a comprehensive school health framework. Among these priorities are promoting positive mental health and healthy relationships, and preventing bullying.

Furthermore, to allow children and youth to have a voice in matters that affect them, PHAC uses a number of mechanisms to engage young people on issues related to health and well-being, including bullying and cyberbullying, in support of the United Nations *Convention on the Rights of the Child* (UNCRC). These include organizing regular awareness campaigns, such as those associated with National Child Day, supporting the participation of youth delegates in national and international meetings, and seeking input and feedback from young people at youth engagement events on key policy and research. PHAC is the federal co-lead on the implementation of the UNCRC along with DOJ.

In addition, during the preparation of the 2010 national HBSC report, PHAC hosted a youth engagement workshop with young people, where they provided their insights on a number of topics including cyberbullying. These insights were then incorporated into the

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2010 Canadian report. Young people also made videos intended for their peers, using the HBSC data on various topics of importance to them, including bullying and cyberbullying. Following the HBSC event with youth, PHAC also supported the development of a toolkit for engaging young people in policy and research activities. The national 2006 and 2010 HBSC reports were published on the PHAC website and widely circulated to a number of stakeholders. Distribution to provincial and territorial ministries of health and education was facilitated through the JCSH.

In conjunction with its outreach activities, the RCMP also encourages interdepartmental collaboration. Its National Crime Prevention Services section has recently initiated a Youth Engagement Collaborative (YEC), which is a horizontal committee of federal departments who have an interest in engaging youth, in order to help meet departmental objectives, or enhance existing programs and initiatives. The YEC aims to increase capacity and expertise in youth engagement across federal departments. To date, there are seven federal departments participating in the YEC, including: PHAC, PS, DOJ, Human Resource Skills Development Canada, Status of Women Canada, Heritage Canada, and Health Canada (First Nations and Inuit Health Branch). The RCMP Youth Engagement Section also oversees a Youth Advisory Committee that they consult with annually to obtain youths' perspectives on issues such as cyberbullying and bullying.

Lastly, in terms of involving industry stakeholders, Cybertip.ca collaborates with Internet Service Providers through the Canadian Coalition Against Internet Child Exploitation, a voluntary, multi-sector forum comprised of industry, law enforcement, governmental, and non-governmental partners.