



FINAL REPORT 2020-21

# Citizens' Assembly on Democratic Expression

Recommendations to Strengthen Canada's  
Response to New Digital Technologies and  
Reduce the Harm Caused by their Misuse

JANUARY 2021





The Public Policy Forum works with all levels of government and the public service, the private sector, labour, post-secondary institutions, NGOs and Indigenous groups to improve policy outcomes for Canadians. As a non-partisan, member-based organization, we work from “inclusion to conclusion,” by convening discussions on fundamental policy issues and by identifying new options and paths forward. For more than 30 years, the PPF has broken down barriers among sectors, contributing to meaningful change that builds a better Canada.

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## HOW TO CITE THIS REPORT

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Visit the Assembly website: <https://www.commissioncanada.ca/>.

Watch the 2020 Project video: <https://youtu.be/gIPGGI6z6tE>

Visit the Public Policy Forum website: <https://ppforum.ca/>.

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# ABOUT THE INITIATIVE



The Canadian Commission on Democratic Expression is a three-year initiative, led by the Public Policy Forum that aims to bring a concerted and disciplined review of the state of Canadian democracy and how it can be strengthened. The centerpiece is a small, deliberative Commission which will draw on available and original research, the insights of experts and the deliberations of a representative citizen's assembly to assess what to do about online harms and how to buttress the public good. The Commission is designed to offer insights and policy options on an annual basis that support the cause of Canada's democracy and social cohesion. The Commission is supported by national citizen assemblies as well as by an independent research program.

This initiative grew out of earlier insights about the relationship of digital technologies to Canada's democracy covered by the Public Policy Forum's ground-breaking report, *The Shattered Mirror* and its subsequent interdisciplinary research outlined in the *Democracy Divided* report (with UBC) and through the Digital Democracy Project partnership with McGill university.

The initiative is stewarded by Executive Director, Michel Cormier and delivered in partnership with MASS LBP and the Centre for Media, Technology and Democracy at McGill University's Max Bell School of Public Policy, who are executing the national citizen assemblies and research program, respectively.

To learn more about the initiative and how you can become involved, please visit [www.ppforum.ca](http://www.ppforum.ca). The initiative will run from April 2020 to March 2023.

This project has been made possible in part by the Government of Canada.  
PPF would also like to thank the McConnell Foundation for their support.





## CHAIR'S NOTE



**PETER  
MACLEOD**

**Last February, we embarked on a process that would invite more than 12,000 Canadians to serve on a national panel to examine the impact of harmful speech and social media. This Citizens' Assembly would include 42 members, randomly selected from a pool of volunteers, who would represent the widest possible range of voices and perspectives. It would meet in Ottawa and Winnipeg and issue its recommendations in June.**

Then, with invitations in the mail and our toll-free line buzzing, the pandemic arrived in Canada and our plans changed.

Perhaps it is fitting that an Assembly focused on the use of digital technologies would come to rely exclusively on these same technologies to conduct its business. Rather than meeting physically, the Assembly members spent more than 40 hours over 18 sessions meeting virtually with one another. On evenings and over weekends, from September until mid-December, the members of the Citizens' Assembly came to know one another. Peering through screens into each other's kitchens and family rooms, a shared endeavour brought them together in spite of the distances that separated them.

While our process changed, the intensity of our discussions was undiminished. The members of the Assembly are well aware of the potency of new digital technologies and have a lot to say. They understand that social media have radically altered communication. They marvel at the access these technologies provide to information and opportunity. But they also are aware that these platforms are reshaping social norms and, in too many instances, undermining our social contract. They worry that the terms of service that users must accept go too far in compromising privacy, competition, and safety, and that as users they have few, if any, credible alternatives.

To the members, these concerns come down to a question of accountability. Why are behaviours that would never be tolerated offline seemingly permitted without consequence online? Why is enforcement so weak and the remedies to many harms so ineffective?



Where are the deterrents to harassment, defamation, and fraud? What safeguards exist to protect people from the predatory effects of algorithms that bolster profits by increasing polarization and fuelling discord? How can we create a vibrant digital public sphere that doesn't by design expose people to an ocean of baser instincts — much less to hatred and abuse?

The members have observed that in other domains these questions have been answered. Within the context of a free society, we have placed reasonable limits on what can be broadcast and published. We also expect companies to pay their taxes, not pollute, and be good corporate citizens. But in Canada, at least, the Assembly has concluded that digital platforms have been getting something too close to a free pass. Regulation is overdue.

Their report, written in their own words and contained in the middle section of this document, spells out the measures they believe governments and industry should adopt in order to course-correct. Their recommendations are ambitious and far-reaching, but they are also consistent with many of the norms Canadians expect and abide by offline.

The Canadian Commission on Democratic Expression is itself a unique process. It brings together the voices of experts and citizens in order to speak to governments and Canadians about the perils and promise that digital technologies bring to our democratic society.

The members of the Citizens' Assembly, who have advised both the Commissioners and, through this report, the government, should be commended for their diligence and service. Together they have exemplified a generous and collegial democratic spirit — one they hope can become more commonplace online.

Sincerely,

**Peter MacLeod**

Chair, Citizens' Assembly on Democratic Expression



# WHAT POLICY MAKERS SHOULD KNOW

**The Citizens' Assembly on Democratic Expression is a body of 42 randomly selected Canadians representing every province and territory as well as the breadth of perspectives and diversity of Canada. The Assembly was convened in March 2020. Due to the pandemic, the Assembly's work was postponed, then conducted online. The Assembly met during 18 sessions between September and mid-December. Working in both official languages, the Assembly heard from more than a dozen recognized experts as well as senior representatives of Google and Facebook.**

The Assembly is one part of the Canadian Commission on Democratic Expression — a three-year initiative funded in part by the Government of Canada and led by the Public Policy Forum. This year's Assembly was mandated to provide consensus recommendations on reducing the impact and prevalence on harmful speech online. Subsequent Assemblies will be convened in 2021 and 2022 and will address different topics related to technology and democratic expression in Canada.

The Assembly identified five values that should shape Canada's approach to internet regulation and unanimously endorsed 33 recommendations which they believe will help to safeguard and strengthen our democracy while reducing the prevalence of harmful and hateful speech online.

The Assembly strongly believes that the government has been too slow to adopt adequate regulations that ensure the safety of Canadians participating in the digital public sphere. They reject the appearance of a double standard between online and offline behaviours and believe that digital platforms and users alike should be held accountable for their actions. They are alarmed at the power digital platforms hold to determine their own policies without public oversight and are especially concerned by the pervasive use of algorithms that disseminate sensational and divisive content.

The members believe that these platforms risk undermining Canadian democracy and reducing confidence in its institutions by propagating misinformation, eroding social cohesion, and exacerbating polarization.

Nevertheless, the Assembly also affirms the democratic potential of the internet and recognizes the power of digital platforms to create new spaces where diverse voices can flourish, to form and renew communities, and to create unparalleled educational and economic opportunities.

To the members of the Assembly, the regulations they propose are not antithetical to an open and vibrant digital sphere — they are the basis for it.

The Assembly's recommendations aim to strengthen oversight and accountability, enhance international regulatory cooperation and enforcement, reduce misinformation and empower users, establish new digital



rights, ensure user safety, accountability and awareness, and strengthen independent journalism and Canadian content.

Highlights of their recommendations include:

- Establishing a new digital platforms regulator to provide public oversight
- Developing a new national code of online conduct that would apply to all platforms and introducing a system of platform and user penalties for breaches to this code
- Requiring platforms to significantly enhance their content moderation systems
- Introducing new compliance audits for digital platforms
- Restricting the use of 'bots' and related automated technologies in online public forums in Canada
- Establishing a tribunal or 'e-courts' system to adjudicate complaints
- Protecting minors by severely limiting the collection, storage, and sale of their data
- Establishing user ownership of personal data as a norm and providing users with significantly more control over their data and content filters
- Introducing user-friendly, standardized terms of service across all digital services that retain personal information
- Strengthening Canada's privacy laws as they pertain to digital services
- Establishing new mechanisms to ensure that anonymous users are accountable for their actions
- Strengthening public education to create awareness of digital safety and civility
- Promoting Canadian content online
- Ensuring tax compliance that is on par with other industries
- Accelerating the provision of affordable high-speed internet to all Canadians to allow equitable access

# ASSEMBLY OVERVIEW

## WHAT IS A CITIZENS' ASSEMBLY?

A citizens' assembly is a long-form deliberative process that typically involves 36 to 48 randomly selected citizens and residents who meet to examine an issue, reach consensus, and draft recommendations for public authorities.

## WHAT IS A CIVIC LOTTERY?

A civic lottery is a balanced way of selecting members of a citizens' assembly. It is based on a form of sortition that uses the postal system and a randomized selection process to recruit panelists. The result is a group of volunteers that broadly match the demographics of the jurisdiction they represent.



## ASSEMBLY PROFILE (42 MEMBERS\*)

**Gender: 21 Female, 21 Male**

**Language: 9 French, 33 English**

### Age bracket

**18-29: 6 . 30-44: 11 . 45-64: 15 . 64+: 10**

### Members per province/territory:

Alberta - 4	Nunavut - 1
British Columbia - 5	Ontario - 11
Manitoba - 2	Prince Edward Island - 1
New Brunswick - 1	Quebec - 9
Newfoundland and Labrador - 2	Saskatchewan - 2
Northwest Territories - 1	Yukon - 1
Nova Scotia - 2	

**Members who identify as Indigenous: 3**

**Members who identify as a visible minority: 8**

**Number of meetings: 18**

**Hours of meeting time per member: 43**

**Cumulative session hours: 1,677**

\*Owing to prior commitments, three members withdrew from the process when it was rescheduled to the autumn.



## MEET THE ASSEMBLY MEMBERS

### ALEJANDRA BALANZARIO GUTIERREZ: ORMSTOWN, QUÉBEC

I was born in Mexico City and lived in Mexico before moving to Canada in 2011. I live in Ormstown, QC, with my husband, who is Canadian. I have a professional degree in hospitality management, but have always preferred being self-employed in the arts and crafts field. I'm currently working on a personal website. I joined the Citizens' Assembly because I would love to collaborate with other Canadians to improve the use of the internet and make it a safer place for everyone.

### ALEXI GUINDON RIOPEL: ORLEANS, ONTARIO

My name is Alexi and I was born in 2000, in Ottawa. I have lived in this city my whole life, and I am now in my third year at the University of Ottawa in the Criminology program. I have been working at Cora's Breakfast and Lunch for over three years in the kitchen, and I have been working for Students for Seniors since 2018, where I help seniors familiarize themselves with their electronics. I also created a server hosting company with a few friends this year. Right now, I am mostly focusing my time on my studies and work, but in my free time, I enjoy participating in outdoor activities. I plan on possibly pursuing my studies in law in the future.

### BENOIT LABERGE: MONTRÉAL, QUÉBEC

Born in Montreal in 1981, I grew up in the surrounding suburbs during my youth to finally return and raise a family with my wife in my native city. For the past 13 years I have worked for a democratic union organization, and I offer daily support to unions in the struggle to have their occupational health and safety rights respected. I love meeting new people, exchanging ideas with them, and debating the issues that relate to work environments or society in general. I am also a great lover of board games and never miss an opportunity to play with friends (except during the pandemic!). When time allows, I like to spend time in the gym, read stories to my kids, or prepare meals for my sweetheart.

### BONNIE SMITH: FRANKVILLE, NOVA SCOTIA

Having spent all my life in Nova Scotia, I am very proud to call Frankville my home for over 37 years. Being the youngest of nine siblings, compromise, listening skills, and fast running were second nature to me growing up. My parents instilled in me the power of voting, the need to participate in making Canada a great place to live for everyone, and mostly the importance of being kind to all. These are traits I have passed on to my children. I am known as "Gigi" to my three beautiful great-grandchildren, and I love nothing more than visiting and spoiling them as much as humanly possible. Gardening, reading, loving the pups that have been in our life over the years (a rescue called Mocha at the moment), and camping are a few of my favourite pastimes. I was extremely honoured to be chosen to be a part of this democratic process. I do believe the impact of the digital world must be regulated and monitored for the safety and enjoyment of all.



### BRUCE CLUFF: OCHRE BEACH, MANITOBA

I live in Ochre Beach, Manitoba, and grew up in Island Falls in Saskatchewan. My father ran the general store for Hudson Bay Mining and Smelting for a small community that ran the hydro dam for the mine. I went to school from Grade 3 onwards in Flin Flon, Manitoba. I started at Hudson Bay Mining and Smelting in a sample prep department and worked my way to a position in a laboratory. I worked there for 37 years before retiring, and knew the place by heart. I enjoyed working and living in the country — I love fishing and the outdoors. I continue to be active and enjoy the country through my cabin. I have some thoughts on the electronic age, and accepted the invitation because I found the Assembly idea interesting.

### CAMILE TREMBLAY: FRANKVILLE, NOVA SCOTIA

I was born in Sherbrooke, Quebec, in 1950. That makes me 70 years old. I spent most of my working life employed for the Federal government. I started in the Navy as a radar plotter in 1968. I moved to Nova Scotia, where I met my wife and got married in 1970. After the birth of my second child and eight years in the Forces, we figured that we would try civilian life. I spent about one-and-half years as a furnace repair apprentice and propane delivery person. In 1980, the Canadian Coast Guard opened a new “Emergency Centre” branch, where I was hired as an equipment operator. This centre was located in Mulgrave, Nova Scotia, which is very near Cape Breton. After nine years in Coast Guard Emergency Operations, a new branch of Transport Canada opened up, “Transportation of Dangerous Goods”. This is where I worked until my retirement in the spring of 2011. I am still married to Theresa, my wife of 50 years. We have three wonderful children, they have brought us four grandchildren. Some of my hobbies include wine making and pyrography. I consider myself very lucky to have a wonderful family, a good work history, and the retirement that we are enjoying presently. The reason I applied for the Citizens' Assembly is to find out more about the democratic process, something that I have lived with all my life and would like to learn more about.

### CHERYL LLOYD: PRINCE ALBERT, SASKATCHEWAN

I volunteered for this Citizens' Assembly because I am, among other things, a writer. Some parts of this Assembly, as I understand it so far, will affect me directly. I have taken several distance education courses at the university level, mostly on different writing styles. I volunteer at the local museum as a data entry clerk (and I'm learning a lot about local history at the same time), and I am also involved in both a local writers' group and a stitchers' guild. I currently herd cats in Prince Albert, Saskatchewan. I moved here to go back to school after I left fixing aircraft in the Canadian Armed Forces. I am also an amateur radio operator.

### CHRISTINA TZOURNAVELIS: L'ASSOMPTION, QUÉBEC

I am a woman, a mother, a musician. For the past year, I have held the position of Talent Development Advisor for the video game industry. More precisely, I offer training to develop employees' relational and communications skills. For about a decade, I also worked for a community organization in the fight to keep kids in school. I am deeply concerned when it comes to the issues that target people's quality of life. I need to be socially involved, to do my part. I chose to participate in the Citizens' Assembly in part to meet my own needs, but also because I find the subject highly relevant.



### CINDY KOZAK-CAMPBELL: KAMLOOPS, BRITISH COLUMBIA

I am from Kamloops, BC — my husband and I moved recently from the Kootenays. I appreciate this opportunity to participate in the conversation and make a civic contribution. I bring the average person's perspective: I use technology regularly but may not always consider its impact on human rights and democracy. I am a recently retired health care leader and registered nurse. My career focused on quality seniors care. In health care, I see benefits to technology that definitely impact human rights — both confidentiality and security of information. I am an outdoor enthusiast, local food bank volunteer, and board member of the Kamloops Outdoor Club.

### CLAIRE SORMANY: QUEBEC CITY, QUEBEC

With a degree in law and public relations, I practised as an attorney for a short time before reorienting my career to communications and marketing. Among other things, I created and managed the Information and Promotion Office at Laval University. In the second half of my career, I worked as an independent marketing consultant among Canadian educational institutions before taking my retirement in 2019. Having spent my life in a sector where digital communications play a crucial role, I am particularly sensitive to the disruptions caused by the use of digital technology. Participating in the Citizens' Assembly offers me the opportunity to contribute to the creation of a vision of society based on democratic expression and a chance to influence the decisions to follow. This is what motivates me!

### DANIEL DYCK: LA CRETE, ALBERTA

My name is Daniel Dyck. I was born in the city of Saskatoon in the province of Saskatchewan. When I was five, my parents moved to northern Alberta where I grew up on a mixed farm. Here, I learned numerous skills. My eight siblings and I grew up on this farm with no TV, so whenever we saw a movie at school we would be ecstatic. Education was not highly promoted in my day and therefore I missed out significantly, acquiring a Grade 8 education. Later in life, I took upgrading to achieve a Grade 12 diploma. I joined the workforce at a young age and learned many hands-on skills. After numerous years of carpentry work, I gained a position with the school board maintenance department as a foreman and later became a supervisor of maintenance, a position that I hold to this day. I have six children with my wife Margaret — three boys and three girls. Our children all attended the public school system and did not watch any TV either. I believe they are now quite capable of making good life choices. I enjoy camping, fishing, hunting, and many hands-on chores on the hobby farm that we live on. To this day we have a few head of cattle, chickens, turkeys, etc. I grew up as a Mennonite Christian, a faith I still hold fast to, and I believe in the Trinity. If we have been a good citizen in society, we will be blessed with a spiritual afterlife, praising God eternally. It is my hope that through this Citizens' Assembly experience, our government will gain a few tools to make wise choices for the future of our children, our grandchildren, and everyone around them.

### DAVID LLOYD: HAMILTON, ONTARIO

My name is David Lloyd. I'm a published and award-winning media arts professional based in Ontario, and founder of the creative agency DCP and the Kithedral Beach Association. As a passionate digital native and son of a computer programmer, I take great interest in responsible, inclusive, and innovative growth in tech



and art. Growing up in the Greater Toronto Hamilton Area enabled me to experience a wide variety of cultures, which has definitely influenced my love for travel, film, sports, and live entertainment.

#### **DIVYA SHASTRY: MILTON, ONTARIO**

I have been a permanent resident of this beautiful country for close to three years now and originally hail from India. I moved to Canada in 2017 after marrying my husband. I've been a market analyst and sales professional in the steel industry for the past seven years. By passion, I am an Indian classical music vocalist and an amateur baker. Technology has a great impact on all of our lives in one way or another, so I'm excited to be given this opportunity to analyze how we can strengthen the good and eliminate the bad from technology.

#### **EVELYNE DOYON: PLESSISVILLE, QUEBEC**

Native of Saint-Guillaume, I had the pleasure of growing up in the country. Because education was a strong family value, I continued my studies at the Collège Notre-Dame-de-L'Assomption and completed my undergraduate degree in ergotherapy at Laval University. Beginning in adolescence, current events were a subject of debate with my parents and my friends. So much so that I sought to understand our political system through the Forum for Young Canadians. During the week I spent on Parliament Hill, I was thrilled to meet Canadians from across the country. I am of the generation who became familiar with computer technology in high school. As the mother of two young adults, I often seek their help in navigating the digital world. Now, the Citizens' Assembly will allow me to enlarge my knowledge and take time to reflect on the impact of technology in our democratic society.

#### **FAUZIA BAJWA: ST. BRUNO, QUÉBEC**

I am of Pakistani descent, was born and raised in the UK, and have had the rare privilege of living in four countries on three continents. I studied Computer Science at university and subsequently worked as a software developer in technology companies large and small. While I find digital technology fascinating, what piques my interest even more is the impact it has on our society and on the way we lead our lives. The confluence of innovations that gave us global, mobile, and comprehensive access to information has also brought significant threats to our privacy and autonomy. These issues have been of concern to me for a while, so when I received the invitation to be part of this Citizens' Assembly, I jumped at the opportunity. I hope that we can explore ways of embracing our digital lives while safeguarding our priceless freedoms. I now live in beautiful St. Bruno, Quebec — a true paradise on earth.

#### **GREG HOWARD: IQALUIT, NUNAVUT**

I grew up in Ottawa and came to Iqaluit, Nunavut, in April of 1992. At the time, I worked for the airline First Air, now Canadian North. I worked there for 24 years. Now I'm semi-retired, working for a friend of mine at an electrical contracting company. My wife Bonnie has been working for the government for many years. When I got the invitation to volunteer for the Citizens' Assembly, I was curious about the process — it was the first time I ever saw something like that. I also thought the topic of how technology affects our society was an interesting one. I've never actually seen a Facebook political ad on my feed, so I'm curious to know more about the election angle.

**HENRY BORDELEAU: VERNON, BRITISH COLUMBIA**

I'm originally from Alberta, but when we were kids my family moved to different places in Alberta and BC every few years. My dad was an insurance adjuster and he was transferred numerous times to various cities and towns throughout Alberta and BC. I live in BC now, and so do my sister and dad. During my employment life, I've had a number of jobs — woodworker, tow truck driver, electrician, cab driver, computer repair technician, Systems Analyst, IT Technical Consultant, and Automation Systems Technologist — but I've been retired for five years now. I volunteered for the Citizens' Assembly because I felt that I needed to get involved in something stimulating and this fit the bill.

**JAGAR MOHAMMAD: HAMILTON, ONTARIO**

I was born in Kurdistan, Iraq, and lived in Greece for five years before moving to Canada in 1995. I live in Hamilton, Ontario, with my wife and two boys. I have been working in Burlington, Ontario, as a computer technician since January 2008. I enjoy helping users with their computer issues and answering any IT-related questions. I joined the Citizens' Assembly to learn about the important issues at hand and help make things better for everyone. I'm excited to find out what I can accomplish. In my spare time, I enjoy biking with my kids.

**JAMES DENNY JUNIOR: EEL GROUND, NEW BRUNSWICK**

I am a 51-year-old Indigenous man from the Natoaganeg (Eel Ground) First Nation community near Miramichi, New Brunswick. Natoaganeg is a small Mi'kmaq community with an approximate population of 1,000 members and is nestled on the banks of the renowned Miramichi River. I have experience within the political arena, having served as a two-time elected band council representative for my community. In addition to this, I was a New Brunswick Green Party candidate in 2018 and have served on numerous boards and committees within the Atlantic region. I bring a wealth of knowledge and experience regarding Indigenous issues ranging from economic development to human resources and social development. Outside of my professional life, I enjoy being active in and around the local service district. I am currently a member of the Miramichi Chamber of Commerce and have served as past president of the local Toastmasters International club as well as vice-president of the Miramichi Shrine Club. I am also active in Northumberland Lodge No. 17, Free and Accepted Masons, and was recently elected as head of this organization — the first Indigenous man to hold the title in the 160-year history of this fraternity. I am also a member of the Moncton Valley Scottish Rite, Ancient and Accepted Freemasons, and hold the rank of 32nd degree Master Mason.

**JENN BALDRY: GRANDE PRAIRIE, ALBERTA**

I am originally from a small town in British Columbia but I have lived in Grande Prairie, Alberta, for the past 25 years. Grande Prairie is a small city with a big-city feel. It's only a four-hour drive to Edmonton or to Jasper and the beautiful Rocky Mountains. I enjoy living here for all the opportunities for employment in many different industries, all the great stores for shopping, and all the great schools and family activities available. I currently own a courier company. I have two boys aged 30 and 19 and a one-year-old grandson. I love to travel, play golf, and spend time with my family. I applied for the Assembly because of what I see on digital media sites and the harm that false misleading information can cause. I am looking forward to



working with my fellow Canadians and hearing their ideas on making a positive change to what is accepted in today's society on digital technologies.

#### JERARD SAN JUAN: PRINCE ALBERT, SASKATCHEWAN

I am a first-generation immigrant from the Philippines. My family moved to Canada in 2008 — and since then everything got better. I joined the Citizens' Assembly because I do not want Canada to follow the Philippines's unjust policies regarding speech. Sharing my perspective as a former outsider is the least I can do for my new home.

#### JOANNE GILLIS: CORNER BROOK, NEWFOUNDLAND

My family has deep roots in Corner Brook, Newfoundland. My husband and I were both born and raised here, and so were our parents. I currently work with the Memorial University at the Grenfell campus here in Corner Brook where I help the faculty administer the Master's program in Art and Environmental Policy. My earlier career has included: an on/off stint as admissions officer at the McKinley Canada Career College; working in various avenues of economic development with the regional economic development boards; being a business advisor with the Newfoundland and Labrador Organization of Women Entrepreneurs; and working with Member of Parliament Gudie Hutchings. I have a diploma and a degree in business administration, and I'm set to start a Master's program soon in Adult Education and Community Development. I love spending time with family and friends and going on walks with our two dogs. I also enjoy hiking and reading. When I received the invitation, I did my own research about what a Citizens' Assembly was and what purpose it served. I think this is a great opportunity to meet people from across the country and have my say in the different things going on in Canada with regard to social media. I'm interested in knowing what can be done to filter out fake news and ensure that any and all information conveyed to the public is accurate.

#### JOYCE HU: BRAMPTON, ONTARIO

I am a student currently working in the accounting profession. I have moved frequently from city to city but have always stayed close to home in the Greater Toronto Area. As an individual growing up in the digital era, I recognize the substantial impact that online content has on our daily lives, growth, and thinking. I joined the Citizens' Assembly because this is a relevant topic that I am passionate about. I am very eager for this opportunity to share my viewpoints, give back to my community, and hopefully bring about change in a positive direction.

#### JUDY TYRRELL: KAMLOOPS, BRITISH COLUMBIA

My name is Judith Anne Tyrrell — but I go by Judy. I grew up in the lower mainland of British Columbia but live in Kamloops. I worked in the healthcare profession for 42 years and retired about four years ago. I like to do volunteer work in the community. I have four grown children and 11 grandchildren. One son and his family are in Alberta, and the rest are here in BC. I also manage my parents' care. My family keeps me quite busy. In terms of computers, the internet, and technology, I consider myself a learner — for example, copy-and-paste is new to me. I volunteered for the Citizens' Assembly because I wanted to make sure that people like me who are not technologically savvy are fairly represented. I am looking forward to learning about how technologies are impacting people of different ages and backgrounds.



### KENNETH PEEL: TORONTO, ONTARIO

My name is Ken Peel. I've been a lawyer in Ontario since 1977, and have been active since 1983 in Canada's railway law and transportation sectors as counsel, advisor, and advocate. This work has involved federal issues as well as matters in almost every province — including an issue in Nunavut. I was born in Montreal and grew up in Québec. I attended university in Montreal as a political science undergrad. I was interested in constitutional and Parliamentary matters. At school I was also quite engaged in social issues and debate with the Quebec Youth Parliament — eventually becoming its Premier. Summer work included a couple of years researching multicultural communities and, later, two summers of work in Ottawa on international matters with “External Affairs”. I am married to Katherine — a writer. We had two sons: Lucas was lost to cancer at age 25, while John is a medical Doctor. John is now working towards a Ph.D. in anaesthesiology at the University of Toronto. I've been ever curious and a keen follower of news and public affairs and a reader of history. I am interested in fine arts, plays, dance, and music. I am also a fan of the Toronto Blue Jays and have fond memories of the Expos. I'm looking forward to sharing in the learning and discussions with fellow Citizens' Assembly members.

### LINDA BOURGAULT: QUEBEC CITY, QUEBEC

I was born and raised until my teen years in a small Quebec town near the U.S. border dominated by the forestry industry. Early on, I began my career as an administrative assistant, first in a law firm and later for a large financial organization, Desjardins. I now live in Quebec City. As soon as I learned to read, reading became my greatest passion and still is today. Reading allowed me to discover the world, its history, and the complexities of mankind's actions. I am married, have no children and lead a simple life. Since retirement, I donate my time to the Quebec Museum of Civilization, the Quebec Library as well as various community outreach organizations. In 2021, I will live a childhood dream of travelling across Canada, east to west. I am very enthusiastic to participate in this civic consultation on such a fascinating topic. It is an opportunity for me to connect with my Canadian identity as well as to sit at the same table with co-citizens from other provinces and territories.

### MELANIE WATSON: DUNCAN, BRITISH COLUMBIA

I am a first-generation Canadian and grew up in a rural setting on the southern end of Vancouver Island. In my lifetime, I have gone from writing letters, listening to radio and records, and watching two channels on a black-and-white TV, to utilizing the myriad of media we have today. I am very interested to be part of looking at how technology is impacting the health of our democratic society. I believe democracy is an idea that needs to be practised and constantly examined for it to remain truly relevant for everyone (this is not something I think Canada has attained yet). I have been lucky enough to live in a few different places around the world and to have had a varied career path from musician to teacher to winery manager. My current passion is running a small cinema at my local community centre. I look forward to meeting with the group this fall in whatever way we can.

### MOTASEM SALEM: MISSISSAUGA, ONTARIO

I am married and live with my wife and three children. My family and I moved to Canada and made it home about six years ago. As a new Canadian, I'm excited to participate in the Citizens' Assembly and to learn



from and collaborate with such a diverse group of passionate Canadians. I would like to think that through this contribution, I am playing a small part in shaping a better future for my children and their generation and preparing them to face future challenges. I work in the field of software engineering and data analysis. Before moving to Canada, I worked for multinational companies in the Middle East and Europe. I also previously worked in management consulting firms that served enterprise clients such as financial institutions and government agencies on various technology-related initiatives. I also previously worked in management consulting firms.

#### **NANCY CHRISTIE: NORTH YORK, ONTARIO**

Retired and living in Toronto, I was pleased to be offered the opportunity to actively participate in Canadian democracy through the Citizens' Assembly. I have long had an interest in politics and political processes. Exploring the ways that technology is impacting our democracy, and possibly contributing to how Canada addresses and manages the impact of digital technologies, I expect, will be both challenging and fun. Having had the opportunity to work nationally and internationally in the not-for-profit sector, I hope my breadth of experience will bring a useful perspective to the discussions.

#### **NATHAN RAY: EDMONTON, ALBERTA**

I grew up in Edmonton and have a sister who is two years younger than me. She is finishing a Political Economy degree. Both my parents grew up on family farms in Alberta. My mom is a retired teacher and my dad is a retired petrochemical/oilfield worker. We have always talked about politics, democracy, and finance in our household, so I am grateful for this opportunity to participate in a Citizens' Assembly. I have an Instrumentation diploma from NAIT and a commercial driver's license. I have worked a variety of jobs from soccer referee to political canvassing to currently Conductor at CN. I have also been lucky enough to travel and visit five continents so far. In my spare time I love to be social with friends and family, taking in the variety of activities Edmonton has to offer.

#### **PAULA MOWAT: WHITEHORSE, YUKON**

I grew up in the Yukon, and feel lucky to have been able to return home after post-secondary studies and draw on my background in public health to work in policy and program development. I enjoy spending time outside with friends and family, and curling up with a good book. When I received the initial letter in the mail about the Citizens' Assembly, it felt like a lottery ticket win — I didn't know that this was a process that existed, but being provided the opportunity to connect and engage with other Canadians around how digital technology may be impacting our democratic systems seems so timely and so important. I look forward to participating in this process.

#### **PIERRE PILON: GATINEAU, QUÉBEC**

I am a native of the Outaouais region of Quebec and hold a bachelor's degree in administration from the University of Quebec in Outaouais. I worked as a civil servant in the federal government, mainly in IT. My career has given me a lot as I worked in several ministries and in different functions, including that of middle manager. This great career spanned a period of 35 years. I have been retired since 2007 and it is important for me to be involved in my community by volunteering for different causes. I believe that the Assembly



allowed us to gather and communicate, and I was able to express my vision of what should be done in order to better regulate digital technologies of the 21st century for the common good.

#### **RHÉAL POIRIER: WINNIPEG, MANITOBA**

I am a Franco-Manitoban Métis who grew up in the very small French town of Otterburne, Manitoba. I have been a resident of Winnipeg for about 20 years, where I live with my wife and two young daughters. I am in the process of a career change from being a graphic designer to becoming an educator and will begin my studies this fall in the Faculty of Education at the Université de Saint-Boniface. This spring I obtained a Bachelor of Science from USB. My interests include spending time with my family, running, orienteering, camping, playing board games, and learning about various topics. I am looking forward to participating in this Assembly as I believe that our digital information and our digital personas are as important as our passport, our social insurance number, or our face-to-face interactions.

#### **SARA-JAYNE DEMPSTER: INUVIK, NORTHWEST TERRITORIES**

I've lived in Inuvik, Northwest Territories, for eight years. We moved from the Greater Toronto Area in 2012 and have never looked back! Our family loves our small town and our close-knit community. I work for the Northwest Territories Health and Social Services Authority as a Medical Billing Administrator. My education background is in Health Information Management and I'm currently working on my Bachelor's degree in Health Administration through Athabasca University. My biggest hobby seems to be education at this point as I have been a full-time student for the better part of four years now, though I am trying to learn to garden this year. I'm pretty excited about growing vegetables in the Arctic! I'm also the second vice-president of the Ladies Auxiliary at our local Legion and the secretary for our Union Local. My husband actually signed me up for the Assembly. I hope I can bring a thoughtful perspective and learn a lot during our time together.

#### **SHARON RAMSHAW: OSHAWA, ONTARIO**

I was born in Bowmanville, Ontario. I grew up on a farm outside of Blackstock, Ontario. I moved to Oshawa after marriage and had two daughters. I was widowed in 1994. I completed Grade 13 at Cartwright High School, and took courses in dental reception, dental radiography, and computers at Durham College and George Brown College. I worked in a dental office as receptionist/office manager for 20 years before retiring in 2010. I have two grandchildren who are the love of my life. I enjoy going on cruises, knitting, crocheting, reading, and watching crime shows on TV. I decided to volunteer for the Assembly after reading the information package that was sent. It sounded appealing and like something that would be worth doing.

#### **STEPHANIE MAKSYM: KITCHENER, ONTARIO**

My name is Stephanie Maksym. I grew up in St. Catharines, Ontario, and moved to Kitchener 11 years ago. I retired from a market research firm where I worked as a researcher-interviewer. I have three sons: one in the Kitchener area, one in Toronto, and one who has moved back to Simcoe. I live in a retirement community and enjoy my local ladies' group and book club. When I got the Citizens' Assembly invitation in the mail, I thought the issue was valid and interesting, which made me want to volunteer. I think a lot of people don't fully appreciate or think about how much our lives have been changed by technology.



### TIM VINING: TORONTO, ONTARIO

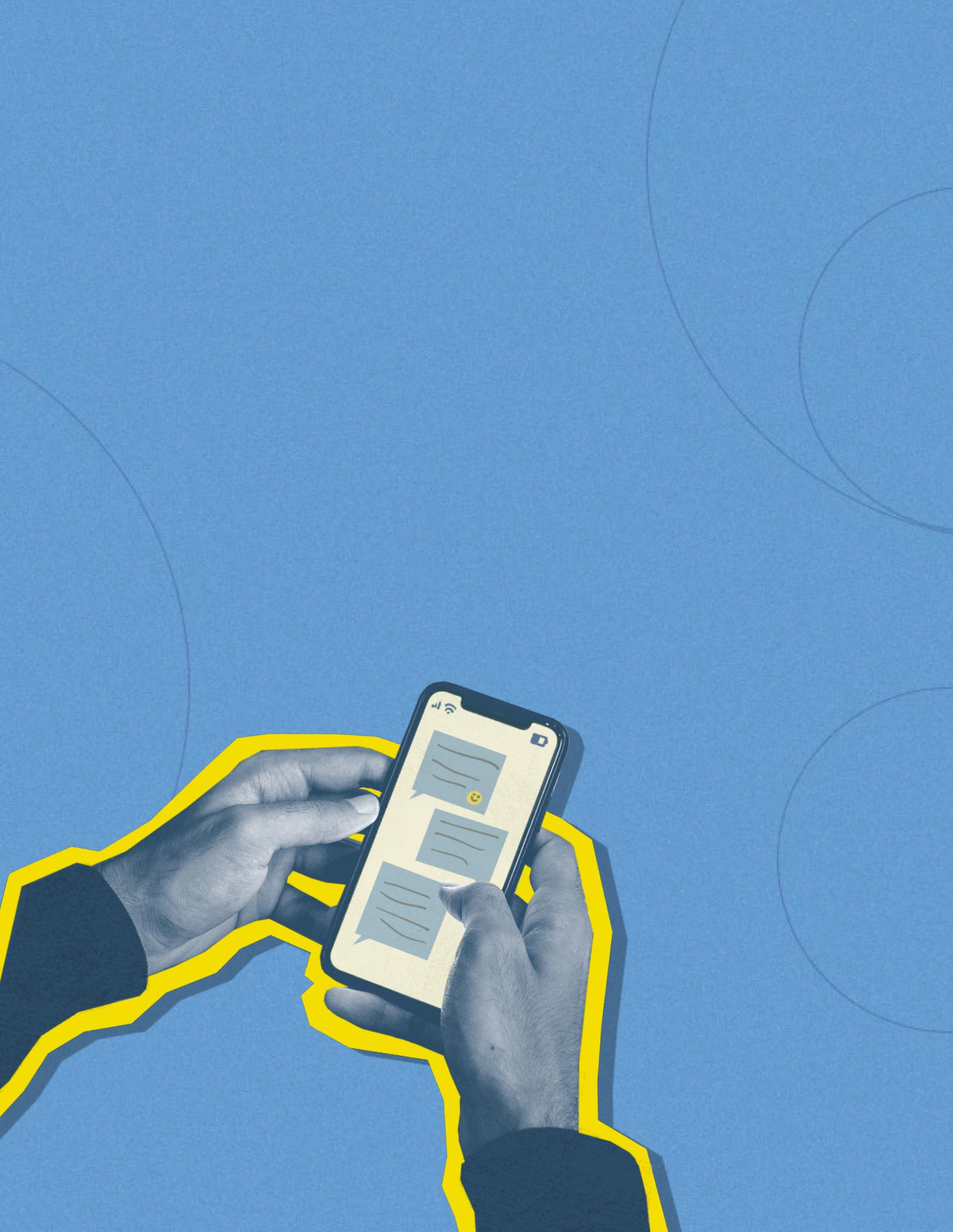
I am of Cajun francophone descent and originate from Southern Louisiana. Professionally, I have done a variety of jobs including practising as a labour lawyer with an emphasis on anti-racism and employment discrimination, teaching at the high school and university level, working as Executive Director of a Social Justice Organizing Centre, working as Coordinator for an Indigenous Women's Emergency shelter in Toronto, and working as an Estates Analyst with the Ministry of the Attorney General. In addition, I lived with homeless men in my home state of Louisiana for over eight years. I currently work with the OPSEU Indigenous Circle as a Human Rights Officer. I and my partner Steve have been blissfully married for 30 years.

### TYLER COLLINS: STEPHENVILLE, NEWFOUNDLAND

My name is Tyler Collins, and I live in Stephenville, Newfoundland. It's a small town with a population of maybe 5,000 surrounded by mountains all around and right beside the ocean. I love the place and have lived here my whole life. I have a daughter aged 8 and a stepson who's 19. I've been working as a retail representative at Canadian Tire for the past six years. I'm a pretty avid gamer. When I read the Assembly invitation, I knew this was an opportunity I couldn't not take: the rare chance to learn about something new and give my input on issues that matter. I think technology, while definitely useful in many ways, is now getting a bit out of hand. I'm concerned about the effects of social media and cyberbullying on children — I fear my eight-year-old getting on Facebook and being exposed to its dangers. Technology use must be focused more on healthcare and diagnostics, rather than social media.

### VALERIE DUSSAULT: MIRABEL, QUEBEC

I am 33 years old and the mother of two beautiful children, a seven-year-old son and a three-year-old daughter. My daughter has special needs, and we are currently awaiting a diagnosis. I found it important, especially in light of her difficulties, to take the chance I have with this democratic Assembly to perhaps change certain things that will help protect her in the future. Also, for my son who will be confronted with living in a world where the Internet takes priority over human contact and where networks dominate almost everything, especially for young people. For the past 15 years, I have worked for the City of Montreal, which allows me to see the impact a population can have and how important it is to listen. I completed an undergraduate degree in business administration in order to better develop my skills in this sector. What fascinates me most of all is change management, and I believe that this Assembly is a reflection of how society was forced to adapt very quickly to a technological age that brings its share of positive and negative aspects. I am happy to know that my voice can have an influence on the decisions that will be made in a democratic manner in order to find balance and solutions so that everyone can have the feeling that their voices were heard.





# UNDERSTANDING THE CITIZENS' ASSEMBLY PROCESS

## The issue and response

The Department of Canadian Heritage agreed to in part fund a three-year Commission to examine the impact of digital technologies on Canadian democracy and society.

The institutions and regulations that safeguarded people and the public interest throughout the era of print media, landlines, cinema, and broadcast TV are less equipped to deal with this new era of digital technologies. The Canadian Commission on Democratic Expression was created to better understand, anticipate, and respond to the effects of new digital technologies on public life and Canadian democracy. The Commission chose to create a citizens' assembly in order to centre the voices and values of Canadians from all backgrounds and corners of this country in this discussion.

## What is a citizens' assembly and civic lottery?

A citizens' assembly is a group of residents who are selected using a process called a civic lottery, a random selection method that prioritizes fairness and wide representation. The individuals selected for a citizens' assembly come together to learn about, and then advise public authorities on, divisive and complex issues that typically involve trade-offs or compromises. Assembly members' objective is to reach a consensus on a series of recommendations that can be directed to government, industry, and society at large.

The 2020-21 Citizens' Assembly on Democratic Expression provided advice and recommendations concerning how governments and industry should regulate digital technologies to both protect democratic expression and shield people from hatred, misinformation, and exploitation.

In February 2020 — just before the start of the COVID-19 pandemic — 12,500 invitations were sent to randomly selected households across Canada. The invitations were transferable to anyone aged 18 or over living in that residence.

The letter invited recipients to volunteer their time to meet in person, learn about issues, and discuss and propose recommendations to inform the work of the Canadian Commission on Democratic Expression, as well as governments across Canada.

Nearly 400 invitees volunteered for the Citizens' Assembly, and from this pool of eligible volunteers, 42 were selected by civic lottery. This stratified sampling methodology ensured that members were selected at random, but in a way that broadly represented the demographics of Canada — balancing for gender parity, geographic representation from all ten provinces and three territories, and representations of age groups, native language (English and French), and Indigenous communities. The candidates' ethnicity, income,



educational level, familiarity with the topic, or other attributes were not factored into the selection process. In short, the Assembly was composed in such a way as to deliver good demographic diversity and to ensure that it was broadly representative of the residents of Canada.

Each of the 42 members generously agreed to spend over 40 hours working on behalf of all Canadian residents to fulfill a four-part mandate:

1. To learn about the principles of democratic expression and the impacts of digital technologies;
2. To review existing institutions and regulations that safeguard both democratic speech and the public interest;
3. To consider how other countries are meeting this challenge; and
4. To make recommendations to strengthen Canada's response to new digital technologies and reduce the harm caused by their misuse.

### **Adapting to the pandemic**

The 2020-21 Citizens' Assembly on Democratic Expression initially planned to meet for two four-day sessions in Winnipeg and Ottawa in the late spring and summer of 2020.

As the COVID-19 pandemic worsened in Canada, the organizers postponed the Assembly until the fall. Nine people who had volunteered to be in the Assembly were unable to attend due to this change, and the organizers selected nine new members.

To sustain interest and a sense of momentum, the Assembly met virtually twice in the summer, on the evenings of June 9-11 and July 20-22. Members were also given access to a resource library of readings and recordings to familiarize themselves with the topics, if they chose to do so. Members were encouraged to send any resources they found to the organizers to be added to this library.

Regrettably, as the pandemic deepened, the Assembly organizers realized they would need to further adapt the process and create a hybrid online and offline model, with the work intended for the first in-person weekend to now take place over a series of Zoom meetings on evenings and weekends between September 12 and November 4, 2020. At this time, the Assembly still hoped to meet in person in November in Ottawa.

In October, it became clear that meeting in person posed high health risks and, in many parts of the country, contravened public health directives. At this point, the organizers took the step of virtualizing the entirety of the Assembly process.

With members residing across all six of Canada's time zones and speaking either of Canada's two official languages, the organizers decided to split the Assembly into three cohorts — Eastern, Western, and



Francophone. These cohorts met separately during eight two-hour working meetings between September and December.

All members of the Assembly also met during an additional eight weekend sessions held on Saturdays and Sundays from 12:00 to 3:00 p.m. ET. While the evening sessions were generally used for presentations and small group discussion, the full Assembly sessions offered members from each cohort the opportunity to interact with others and consolidate their thinking through deliberation.

The virtual process, though effective, did place a significant demand on the Assembly's members. Each member participated in 43 hours of unpaid scheduled online sessions. Collectively, the Assembly spent more than 1,600 hours preparing their recommendations — a figure that does not include personal time spent reading or watching supplemental materials or reviewing working documents.

Due to conflicts with their personal or professional commitments created by the decision to virtualize the Assembly, just three members withdrew from the process.

## UNDERSTANDING THE PROCESS

### Summer 2020

The Citizens' Assembly on Democratic Expression began with two introductory sessions on June 9-11 and July 20-22. During these sessions, the members had the opportunity to meet each other, learn about the agenda and format of the Assembly, and ask questions of the Chair regarding the goals, process, and outcomes of the Assembly.

During the second session, the members heard from Dr. Taylor Owen, director of the Centre for Media, Technology and Democracy at McGill University, and research advisor of the Commission. His presentation, "Governing Online Harms," focused on the history of the internet and digital media platforms; the context in which various companies such as Google and Facebook came to dominate the industry landscape as platforms of online news, data gathering, and social media; and finally the types of harmful speech that have become prevalent in our digital age and how Canadian laws and regulations currently address them. Following the presentation, members engaged with each other and Dr. Owen during a plenary Q&A.

### September 2020

The Assembly held its first official meeting on Saturday, September 12, during a three-hour session hosted by the Assembly Chair Peter MacLeod. Dr. Elizabeth Dubois from the University of Ottawa delivered her talk, "Democratic Expression and Online Harms," during which she discussed the business models of digital platform companies, the role of filtering and moderating content, and how harmful speech and misinformation persists. Members also learned about potential checks and balances on the power of digital platforms, as well as the efforts these companies make to moderate their own content. Following a Q&A



with the presenter, members broke into small groups to introduce themselves to each other, talk about the reasons they volunteered for the Assembly, and explain what differences they'd like to make as a result of their work. Later, again in breakout groups, the members worked to develop a list of values that characterized their aspirations for digital technologies and democratic expression.

On the evenings of September 15-17, Assembly members met as cohorts in one of three, two-hour evening meetings. Laura Tribe, Executive Director of OpenMedia, delivered a presentation titled "A Healthy Internet," in which she described the current challenges in Canada of guaranteeing access to reliable and affordable internet service, the difficulties in regulating digital media companies and moderating content while still protecting free expression, and how algorithmic content filtering can contribute to the spread of harmful speech and misinformation. In small discussion groups, members discussed the concerns raised by the presenter and what specific ideas they thought might contribute to reducing harmful speech.

On the evenings of September 22-24, Assembly members met again and heard from Chris Tenove, a journalist and Postdoctoral Research Fellow at the University of British Columbia, whose presentation was titled "Editing the Public Sphere: Who Decides What is Harmful?" Tenove described various kinds of harmful speech and the challenges faced by both governments and digital media companies in confronting them. He also offered ideas for overcoming these challenges, which led the members to begin a vigorous debate during which they began to discuss potential remedies.

## October 2020

On Saturday, October 3, the Assembly members met for their second full session. First, they heard a presentation from Dr. Ron Deibert, director of the Citizen Lab at the University of Toronto, and the 2020 CBC Massey Lecturer. His presentation, titled "Social Media and Restraints," laid out the kaleidoscope of laws and regulations governing the internet, social media platforms, and harmful speech. After a spirited Q&A with the speaker, members broke into small discussion groups, where they returned to the list of guiding values they'd articulated on September 12 and began to refine each one.

On the evenings of October 6-8, Assembly members met with Anastasia Berwald, a lawyer and PhD candidate at the University of Ottawa. Berwald's presentation, "Canada's Laws and their Application to Online Harms," helped the members to understand the efficacy and limits of current Canadian laws and regulations. Following a Q&A, the members in small breakout groups discussed how Canadian regulations should strike the right balance between preventing harmful speech and penalizing those who perpetrate it.

On the evenings of October 13-15, members heard from Brendan de Caires, Executive Director of PEN Canada, who gave a talk titled "The Case for Free Speech." The presentation focused members' attention on the fine line between mitigating harmful speech and protecting free speech — a bedrock of democracy. In small groups, members discussed various ideas and models for creating a culture of responsible online communication without infringing on free expression.



Between October 20-22, Assembly members met for their fifth series of evening meetings. After an update from the Assembly Chair on their progress and the program yet to come, members broke into small discussion groups to begin to articulate and define specific issues and concerns around harmful speech in Canada, including what is at stake for our society if these concerns are not adequately addressed. Then, anticipating an upcoming presentation by representatives from Google and Facebook, the members split into new groups to prepare questions for these representatives by drawing on what they had learned since the Assembly began its work.

On Saturday, October 31, the Assembly members met for their third three-hour full session. The members first heard a presentation from Jason Kee, Public Policy and Government Relations Counsel for Google Canada, and his colleague Colin McKay, Head of Google's Public Policy and Government Relations Team. Their presentation, titled "Information Quality and Content Moderation," outlined Google's core philosophy and current methodology with respect to moderating user content on their platforms and mitigating online harms. The Assembly members next heard a presentation from Rachel Curran, Public Policy Manager at Facebook Canada, and her colleague Peter Stern, Director of Content Policy and Stakeholder Engagement at Facebook. Their presentation, "Introduction to Facebook Content Policy," also outlined the various ways in which that platform has tackled the problem of harmful speech with community standards policies, human and algorithmic content moderation, and punitive measures. Both presentations provided members with a clearer sense of what these companies can and cannot do about harmful speech, and where there may be opportunities for governments, industry, and individuals to play a role.

## November 2020

On the evenings of November 3-5, the members met to consolidate their concerns and continue the discussion they began between October 22-24. Working in small groups, members organized the issues into one of four areas: 1) Transparency, Accountability and Oversight; 2) Misinformation; 3) Digital Rights and User Controls; and 4) Harms to Women, Minority Groups, Children and Vulnerable Individuals. Each group addressed one specific issue by identifying a set of concerns about the issue as well as articulating their fears regarding what could happen if the issue is not addressed.

On the evenings of November 17-19, Assembly members came together for their seventh set of two-hour evening meetings. Returning to the work begun two weeks earlier, members broke out into small groups to review, revise, and refine their lists of concerns and potential harms, and deliberated on how they could be better aligned and prioritized. Following these lively discussions, members reported back their revised concerns to each other in plenary and began to envision the recommendations that would follow.

On Saturday, November 21, the full Assembly gathered for its fourth three-hour Saturday session. In the first hour, members heard a presentation from Philippe-Henri Mechet, legal advisor to the Interministerial Directorate of Public Transformation for the Government of France in Paris. Mr. Mechet's presentation, "The GDPR in 15 Minutes," laid out the history and context of the General Data Protection Regulation (GDPR), the



landmark comprehensive privacy and security law implemented by the European Union in 2018. As various components of the law are relevant to the Assembly's work, members enjoyed the opportunity to listen to and interact with Mr. Mechet about the law's origins and implementation in Europe. Following the presentation, Assembly members broke out into new small working groups — two groups for each of the four general areas of concern — and began drafting specific recommendations to address each of those concerns.

On Saturday evening, November 21, Assembly members came back for a special, one-hour reception with members of the Commission, including the Rt. Hon. Beverley McLachlin, Julie Caron-Malenfant, and Amira Elghawaby — as well as the Commission's Executive Director, Michel Cormier, and the President and CEO of the Public Policy Forum, Ed Greenspon.

On Sunday, November 22, members gathered again for a three-hour full session, continuing the process of the previous day by drafting recommendations in eight small working groups. During the second half of this session, the eight groups were combined into four groups — aligning with each of the four general areas of concern — so that they each might present to one another their draft recommendations, and look for opportunities to further consolidate and refine their work.

On the evenings of November 24-26, the members met for their eighth and final two-hour evening meeting. In small working groups, members returned once more to their draft recommendations to review and refine them for the final report. By the conclusion of these sessions, the members had produced a working document containing 101 individual points articulating their shared Values, Concerns, and Recommendations — reflecting their cumulative work over the past several months.

## **December 2020**

During the week of December 1-4, the facilitation team conducted one-on-one phone interviews with all 39 members of the Citizens' Assembly, inviting each participant to provide their general feedback on the working document, as well as note specific points they felt might benefit from clarification, be combined with other points, or with which they disagreed. The members were also asked about their overall experience serving on the Assembly and whether they had achieved what they had hoped.

On Saturday, December 5, all members of the Assembly gathered for its fifth three-hour session. In the first hour, members deliberated in plenary on three outstanding concerns that were deemed to require further clarification. In the second hour, members had the opportunity to talk with Kathleen Wynne, MPP for Don Valley West and former Premier of the Province of Ontario. Wynne shared her experience with social media as a high-profile public figure and noted the challenges faced by women and members of the LGBTQ+ community in particular. During the final hour of the meeting, the Assembly broke out into six new working groups to consider six final issues proposed by the members. In crafting supplemental recommendations to fill in these gaps, members expressed satisfaction that their work and the report were nearing completion.



On Sunday, December 6, all members gathered for a final working session. During the first hour, members reviewed in plenary the new recommendations drafted the previous day and provided feedback. Following a break, members spent the balance of the session in six working groups — two in French, four in English — to draft three additional sections of the report: Who we are and why we volunteered; How we see the problem; and Our aspirations for the digital public sphere.

During the week of December 7-11, members were emailed updated versions of the Draft Report reflecting their work from the preceding weekend. Each member was encouraged to submit edits ahead of the report's completion and presentation.

Finally, on Saturday, December 12, the Assembly members met to present their report to the Commission. Before the report was presented, the Chair showed a short video featuring members of the Assembly showcasing the breadth of their endeavour. Next, more than a dozen members took turns reading out each section of the report, with some pausing to share what the experience had meant to them. Following their presentation, the members and Commissioners broke out into small groups to discuss the Assembly's recommendations. During their final half hour, the Commissioners were invited to comment on the report and express their appreciation for the members' work. The Executive Director of the Commission and the President and CEO of the Public Policy Forum did the same. In recognition of their efforts — made especially challenging by the pandemic — each member of the Assembly was presented with a certificate of public service, and the Chair expressed his appreciation for their diligence and camaraderie. Before the meeting adjourned, each Assembly member was invited to reflect on their experience and share their appreciation for each other's work.

## Virtual Program







# THE REPORT OF THE CITIZENS' ASSEMBLY ON DEMOCRATIC EXPRESSION

## 1. WHO WE ARE AND WHY WE VOLUNTEERED

We are Canadians who come from every corner of the country. Like you, we are neighbours, colleagues, co-workers, and internet users who care about the health and functioning of Canada's democracy.

We volunteered because we are concerned about what we see online and we wanted to contribute to this growing public debate. We take our democratic rights — including free expression — seriously, and while we celebrate the benefits of digital technologies that allow us to connect with one another, we also worry about the harms these technologies pose to our society. We feel grateful and heartened that the government invited us to become involved in a process examining these issues.

We approached our work with open minds. Many of us were keen to learn more about the impacts of harmful speech and misinformation, as well as the evolution of these fast-changing technologies. We recognize how central these technologies have become in our lives, and the speed at which they continue to evolve. Many of us drew connections between the growth of these technologies and growing challenges in our society. We are concerned about the breakdown of consensus surrounding facts and truth and the degradation of civil discourse. We hoped that we could help “take back” the internet and reclaim its positive contributions to entertainment, education, news, and connection that make our lives better.

We had hoped to come together in Winnipeg and Ottawa with our fellow members from across the country. Due to the COVID-19 pandemic, however, the Assembly moved its deliberations online. Some of us were disappointed by the virtualization of the process, and concerned that an online format would not allow for meaningful discussion. Ultimately, however, we feel that we deliberated successfully and reached meaningful consensus. Some of us even noted the convenience of meeting online, and felt connected to the other members because of the glimpses we were able to see of their homes and families. Many of us noted that while the pandemic required us to restrict our movements and actions in a way that felt stifling, our work on the Assembly felt useful and productive.

Each member came to the Assembly with different levels of knowledge about harmful speech on the internet, and many of us were concerned that we wouldn't have the knowledge or background to contribute meaningfully. The scale and complexity of the subject initially felt overwhelming. After hearing from experts and researchers in the field, however, we felt equipped to provide our opinions on these issues.



We are proud of our work on the Assembly. We feel that our collaboration represents how Canadian society should function: we discussed our varying points of view respectfully, worked to understand one another, and were able to reach consensus. We hope our recommendations will influence future legislation and lead to the creation of more positive and accountable digital platforms, while also making it possible for more Canadians to conduct themselves safely and responsibly online.

## 2. HOW WE SEE THE PROBLEM

The challenges and threats posed by the proliferation of harmful speech and misinformation concern all Canadians. We are a society that prides itself on our decency, on the civility of our discourse, and on the respect we hold for each other regardless of language, region, history, ethnicity, or culture. We are a country that others look to as a model of civility and tolerance, and our Charter of Rights and Freedoms is the standard we have set for ourselves.

We are all beneficiaries of internet technology and social media. These technologies connect people to entertainment, education, important services, information, and each other. Democratic citizenship today requires access to these technologies, which have become as important as libraries and other public institutions that serve the common good. But we have also witnessed and been affected by many of the harms of this new digital age.

The proliferation of hateful and harmful speech that often targets vulnerable persons and minorities is inconsistent with our social norms and ideals. Misinformation and echo chambers polarize our communities and undermine our democratic freedoms. Canada's laws and regulations have not kept pace with these technologies. In the absence of meaningful restraints, online expressions of hatred, xenophobia, misogyny, racism, and misinformation have been exponentially amplified and tolerated to an extent that would never be permitted in other arenas.

We believe it is time for governments to act and push back against the coarsening and polarization of our political and public discourse. We believe the digital divide between those with and without access to these technologies needs to be overcome. We object to one-sided terms of service that strip users of basic controls and rights. We reject the persistent manipulation of our reality by algorithms and the intentional spread of misinformation that poisons our minds and our communities. We are alarmed by the very real threat posed to our democracy and our public institutions, and we are each harmed by incursions to our privacy, incessant surveillance, and the widespread collection and misuse of personal data.

We recognize that digital platforms do not by themselves cause harms, but based on their current design and regulation, these platforms inarguably facilitate and proliferate harms that hurt individuals, groups, and our society as a whole. We also recognize that many of our concerns are not unique to Canada. These challenges are global, and any effective response will require international cooperation with countries that share our respect for individuals, free expression, and privacy, as well as our deference to the law.



Canada and Canadians must work to limit these threats while protecting the values and freedoms that underpin our democratic society. Regrettably, we can only conclude that digital platforms are not, by themselves, up to the challenge of addressing these concerns. This is why we are calling on governments in Canada — as well as Canadians — to work together to ensure that new and emerging digital technologies are safe, respect our laws, and contribute to a healthy digital public sphere that is consistent with our aspirations for a better and more just society.

## 3. OUR VALUES

We have drafted these values to help orient our thinking and find common ground. Together, they guide our outlook and recommendations.

### 3.1 ACCESSIBLE

An internet that is equally accessible to all Canadians would help break down barriers to information in our society, foster participation in important conversations, promote public education, level the playing field of internet literacy, benefit individuals as well as businesses, and ensure that social media and digital platforms represent the diversity of voices and perspectives in Canada.

We believe that all Canadians deserve equal access to affordable, reliable, good-quality, and high-speed internet services and digital platforms, regardless of economic circumstance, geographic location, or physical ability. In an increasingly digital modern society, where critical information and tools are often only available and shared online, access to the internet is as fundamental as access to a public utility.

### 3.2 ACCOUNTABLE

Greater accountability would help to ensure that the internet is a source of reliable information and dialogue; empower responsible actors and voices; create effective mechanisms that make it more difficult for misinformation to spread; balance freedom of expression with protection of vulnerable individuals and groups; dissuade individuals from engaging in harmful speech; and safeguard the important values of our democracy.

Ultimately, we believe that accountability with respect to combating harmful speech and misinformation must be shared by both digital platforms and the individuals who use them. Individuals who propagate harmful speech should be held responsible and subject to meaningful consequences for their actions, according to standards and laws that are clearly defined. Platforms must also be held accountable for the propagation of harmful speech, as well as for the accuracy and veracity of content that is shared through their services. In this way, they should not be treated differently from other media. Transparency with



respect to the collection, protection, and use of individuals' data must also be part of platforms' accountability.

### 3.3 RELIABLE

We believe that the internet and social media have become a key resource that people use to inform themselves about the world, and as such, that information as well as the tools used to access it must be reliable. This means that digital platforms and internet companies must ensure that the information published and shared on their sites meets clear standards of facts, that accurate, quality content is privileged over sensationalized content, and that no user is subject to hidden or abusive influence.

### 3.4 SAFE AND SECURE

We believe that the internet and digital platforms should be safe and secure environments for Canadians to responsibly and freely express themselves, share information and ideas, and enjoy freedom from harmful speech and malicious actions. We believe a safe and secure internet is especially important for marginalized groups and individuals who are most likely to be targeted and are most vulnerable to harm.

A safe and secure internet environment is one that is backed by a clear ethical framework for both users and platforms with respect to content that is shared; minimizes the spread of harmful speech; preserves the data rights and privacy of users; protects user data and personal information; limits the ability of individuals to engage in harmful actions such as blackmail, hacking, and doxing; and builds trust between platforms and users.

### 3.5 DIVERSE VOICES

We believe that digital technologies should help to amplify rather than suppress diverse voices. This means creating a more democratic internet that allows its users to express and empower themselves — but not to the detriment of others. We believe in an internet that can be the basis for a global community that celebrates difference and which is not ambivalent about its social impact or its impact on vulnerable individuals and groups. This community will be stronger when all voices feel welcome and act respectfully towards others. The digital public sphere should be a place where it is safe to share different ideas and points of view and where we can look critically at ourselves and our world without fear of reprisal or harassment.

## 4. OUR ASPIRATIONS FOR THE DIGITAL PUBLIC SPHERE

The internet is an incredible resource for connection and learning. It allows us to connect with family, friends, and individuals around the world. With an internet connection, one can access a world of knowledge



and expression. And during this global pandemic, the internet has allowed many of us to stay connected, entertained, and employed. Without the internet, this Assembly would not have been possible.

However, we believe that many aspects of the digital public sphere need to be improved. Canadians should be able to access diverse forms of content and trustworthy information, and use the internet as a tool to help them grow. The digital public sphere should provide spaces where internet users are able to express themselves freely and engage in open, critical, and civil discussion. Users of different backgrounds, ages, and levels of digital literacy should be able to use the internet without fear of harassment, abuse, manipulation, or theft.

We also believe that the digital public sphere can empower individuals to enjoy economic success. Digital technologies should be accessible to all Canadians and help more Canadians become part of a new generation of digital entrepreneurs. As an economic engine, these technologies should create opportunities for more small- and medium-sized businesses. But this will also require counteracting digital platforms' tendency to create monopolies, which ultimately undermines consumer choice and can erode employment standards and labour rights.

The Canadian digital public sphere should provide new spaces to explore Canadian content, art, journalism, culture, and history. It should be a resource for learning about the history of Indigenous peoples, the colonization of Canada, and the ongoing work of reconciliation. It should connect Canadians of different backgrounds in ways that reduce cultural friction and promote the appreciation of difference. We want an internet that lives up to its earlier promise as a commons — one that creates space for and celebrates many of the values that we, as Canadians, believe in: shared responsibility, inclusion, and diversity.

The digital space should strengthen democracy and democratic participation in Canada and around the world. The internet should promote more platforms for civil dialogue and respectful debates between individuals of different political positions (our political leaders might provide a model for this civility). It should create stronger connections and communications between citizens and their elected representatives. It should explore and develop more mechanisms for greater transparency and civic participation within Canada, and should endeavour to assist those fighting for democracy abroad.

## 5. KEY CONCERNS

### 5.1 OVERSIGHT, TRANSPARENCY AND ACCOUNTABILITY

We are concerned about the lack of regulation digital platforms have enjoyed, the lack of transparency regarding how digital platforms work, and the inadequate content moderation on these platforms.



Digital platforms are part of a rapidly evolving industry that has not been subject to adequate regulation. Canada's authorities have been slow to interpret and apply regulations to these technologies, while other countries are developing regulatory standards that will shape the future of the internet without Canadian input. Meanwhile, digital platforms are creating and enacting guidelines that may not meet the needs of Canadians or the needs of democratic discourse, and which may give them a great deal of power in the control and direction of information. It is imperative that Canada's legislators move quickly to develop legal mechanisms to better manage the development and use of these platforms within Canada.

We are also concerned about the lack of transparency in the inner workings of digital platforms, particularly in respect to algorithms and personal data collection. Digital algorithms shape users' perceptions of reality and create polarization, bubbles, and echo chambers, and in doing so they limit opportunities to grow, change, and better discern factual information. Authorities should have access to how the algorithms work in order to scrutinize their social impact and help individual users understand them. Users and authorities should also be given access to understand what information and data is being collected from users, how it is being accessed and used, and where it is being stored. Users should also be given greater choice and control over how their data is handled.

We are also concerned about the inadequate moderation of harmful speech on digital platforms. We recognize the scale of this challenge and the tension between users' needs for private anonymity and society's needs for public accountability. There is no Charter-protected right to anonymity, but we recognize that anonymity provides important protections to individuals and opportunities for democratic expression. However, anonymity can also enable harmful or misleading information to circulate. There need to be practical restraints on the use of anonymity that ensure individuals and groups that transgress clearly defined limits are held accountable for their actions and speech.

## 5.2 MISINFORMATION

We are concerned about the spread of digital misinformation in Canada, which can shape our opinions, values, and world-views, as well as our ability to make good decisions. Our democracy becomes vulnerable when our ability to agree on basic information and to respect and understand legitimate differences is diminished. Misinformation creates significant social polarization and cleavages that can spark real-world conflicts.

Social media, which has become a valued source of information for Canadians, makes it easy for users to find and consume content in an instant. According to the Canadian Internet Registration Authority, four out of five Canadians say they keep current with platforms like Facebook, LinkedIn, and Twitter. While our access to new sources of information has expanded exponentially, we have also devolved responsibility for discerning the quality of that information to individual users. This imposes a responsibility to think critically and resist the appeal of sensational content and algorithms that exploit our interests and tendencies.



As we rely more and more on these digital platforms in our daily lives, we must insist that these platforms create better mechanisms to help individuals to sort information and assess its credibility. To take just two examples we discussed, the impact of misinformation during a public health crisis or an election can have disastrous consequences. This is why we believe significant action is necessary.

### 5.3 DIGITAL RIGHTS AND USER CONTROLS

We are concerned about the extent to which digital platforms control our personal data and shape what we see online. Currently, Canadians who use social media are largely unable to control how their personal data is owned, managed, used, or sold — much less how they can delete their data or transfer it to alternate services. What options they do have are difficult to understand and are often buried in lengthy disclaimers. What's needed are plain-language, user-friendly terms of services, as well as new methods to verify and hold platforms accountable for their data policies.

We are also concerned about the absence of clear, consistent guidelines concerning online speech, and of policies to ensure that anonymous users can still be held accountable when they violate terms of service or Canadian law. Canadians are unable to exercise appropriate control of the content they receive, and they lack timely and effective avenues to seek recourse against the harms of hate speech and misinformation.

We recognize that the right to personal privacy and the right not to be surveilled without due cause and authority are fundamental for all Canadians, and we are concerned that these rights are not adequately embedded in the design of services offered by digital platforms.

And we are concerned that not all Canadians have equal access to affordable, reliable, high-speed internet, which creates disparities in how well-informed we are, as well as economic, social, and cultural inequities in our democratic society.

### 5.4 HARMS TO VULNERABLE PERSONS AND MINORITY GROUPS

We are concerned about the striking erosion of basic decency and social norms in online conversation and on digital platforms, and the lack of accountability for users who engage in this harmful behaviour.

Many users publish or share information without discernment or with deliberate malicious intent, posting content that poses harm to individuals and vulnerable groups often in violation of existing policies, social norms, and laws. Many users — particularly children and teenagers — are at risk of being exposed to content that is inappropriate and which can compromise the formation of their self-image as well as their social development. Individuals, vulnerable people, and marginalized groups may be made to feel a sense of insecurity and danger, which in turn suppresses their ability to contribute fully and effectively to online discourse, and perpetuates and reinforces existing power dynamics and inequities.



We believe that digital platforms should be made safer for all users, and that online behaviour should be civil, respectful, and reflect updated social norms. Platforms and governments must explore ways to educate users, hold users accountable, and create stronger mechanisms for moderating online communities.

## 6. OUR RECOMMENDATIONS

### A. Strengthening oversight and accountability

1. The Assembly calls on the Government of Canada to create a new digital platforms regulator for the purpose of fostering a competitive marketplace for digital services that are conducive to the social, cultural, and economic well-being of a democratic society. The digital platforms regulator should be designed with strong governance mechanisms that ensure its independence and ability to work in the public interest without interference from political or market pressures.

The digital platforms regulator should be empowered to:

- a. Develop guidelines grounded in Canadian law and jurisprudence that define harmful and hateful speech.
- b. Develop a national code of online conduct.
- c. Require the disclosure of information related to the design of algorithms by digital platforms in order to evaluate their psychological and social impact.
  - i. Develop additional policies to promote algorithmic transparency that allow users to understand why they are served specific content.
  - ii. Develop and promote compliance with Principles for responsible algorithmic development and applications
- d. Develop strategies to reduce social polarization and discourage publicly accessible forums that propagate harmful and hateful speech. Wherever possible, digital platforms should promote the responsible expression of diverse voices, views, and ideas.
- e. Ensure that digital platforms comply with Canadian laws and regulations and are held accountable for the dissemination of harmful and hateful speech, and be accountable for their failure to use due diligence in responsibly hosting and moderating content and in restraining abusive users. This includes but is not limited to:
  - i. Levying fines and applying penalties where platforms contravene Canadian laws and regulations; and
  - ii. Requiring digital platforms to publish independent compliance audits each year that demonstrate their adherence to Canadian laws and regulations.
- f. Require digital platforms to significantly enhance their content moderation policies as well as the resources they dedicate to ensuring user safety.



- g. Restrict the use and require the explicit labelling of 'bots' and related automated technologies in online public forums in Canada.
- h. Establish a tribunal or 'e-courts' system to adjudicate complaints concerning harmful speech as well as other breaches to the national code of online conduct.
- i. Develop special regulations to severely curtail the collection, storage, and sale of data related to online users who have not yet reached the age of majority.
- j. Create robust mechanisms, including citizen committees, to engage with Canadians and ensure that future policies are shaped with public input.

## **B. Fostering International cooperation on regulation and enforcement**

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1. The Assembly recognizes that in many instances effective digital regulation will require international coordination. To ensure that any international agreements on digital regulation reflect Canadian interests, we urge the Government of Canada to establish clear principles and objectives for digital regulation before pursuing international agreements.
2. We urge the government to work with other countries with an explicit commitment to democracy and the rule of law to establish digital standards, definitions, frameworks, and best practices that can make a positive contribution to reducing harmful speech online.
3. All international agreements should be consistent with our rights and freedoms, Canadian law, and human rights obligations, and should permit the Canadian government and its agencies to enhance or modify the domestic application of these agreements to respond to Canadian interests.
4. Where consistent with Canadian interests and law, we urge the government to consider adopting existing international agreements and frameworks, including but not limited to:
  - a. The European Union's General Data Protection Regulation (GDPR)
  - b. The Principles for Accountable Algorithms
  - c. Social impact statements for algorithms
  - d. Improving upon a "EU-U.S. Privacy Shield" form of framework for an enhanced or more robust protection of personal data and limitations on its transfer and access
5. We urge the government to collaborate with other countries to enforce competition laws to limit the overwhelming market share of the largest digital service providers and ensure a dynamic and vibrant marketplace for new digital service innovations.

## **C. Reducing misinformation and enhancing user controls**

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1. We urge digital platforms to address the rampant and often deliberate misinformation campaigns that undermine social trust and well-being. We applaud efforts to label suspicious or misleading content and call on platforms to do more in this regard.



2. We urge digital platforms to establish policies and mechanisms to verify the accuracy of the information they disseminate, especially where there is a clear public interest to do so. These policies and their efficacy should be monitored by the digital platforms regulator.
3. We believe platforms should grant users significantly more control to change settings that influence the content they receive and block sensational or disturbing content. This should include the option to only display content from verified users and credible sources.
4. We urge the industry to develop a standardized, user-friendly approach to describing a digital service provider's terms of service. This should include clear information concerning the user's rights, what information is being collected, and how it is being used and stored. This information should be readily accessible to the user at all times.
  - a. Similarly, we believe the user interface and language used to describe data controls and permissions should be standardized across all platforms.
5. We believe digital service providers should be required to have their data use and storage practices audited annually and publicly reported.
6. We ask that Canada's Privacy Commissioner review and propose changes to strengthen Canada's existing privacy laws as they pertain to digital services, and ensure that the public is well-informed about their rights and these protections.
7. We believe that the prevailing norm concerning data ownership must change. Users, not digital platforms, should be the owners of the data they produce. Consequently, we urge digital service providers to:
  - a. Significantly expand user controls so that users can meaningfully control and manage the data they choose to share, including when, with whom, and for what purpose.
  - b. Require users to regularly and explicitly consent to the continued collection and retention of their data and, at all times, be provided with the option to withdraw all consent and download and/or fully delete their data.
  - c. Delete user data when consent is not obtained or after a set period of time.
  - d. Consider new mechanisms to pay users for the use of their data.
  - e. Strengthen privacy safeguards and employ strong encryption technologies.
  - f. Safeguard user privacy by ensuring that anonymous accounts are subject to a double-blind scheme that can be unlocked only through the use of a secondary key held by the digital platforms regulator, and only when instructed by a court order or warrant in the course of a criminal investigation.

#### **D. Establishing digital rights**

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1. The Assembly affirms that users are the rightful owners of their data, and calls on the Government of Canada and its regulatory agencies to establish this right in its laws, policies, and regulations.



2. The Assembly affirms the right of users to personal privacy and rejects the growing culture of digital surveillance. We call on the government and its regulatory agencies to adopt policies and regulations that minimize the collection and retention of personal data, and/or require companies to fully anonymize personal data whenever feasible to do so.
3. The Assembly notes that the use of anonymous accounts has become commonplace online but that anonymity is not a right. We call on the government and its regulatory agencies to adopt policies, laws, and regulations to ensure that individuals cannot use anonymity to shield themselves from the consequences of producing or engaging in harmful, hateful, or defamatory speech.
4. The Assembly affirms that all Canadians require reliable access to high-speed internet, and yet sixty-three percent of rural households in Canada do not have access to internet service that meets this standard. The Assembly supports all measures to accelerate the deployment of high-speed internet services to all Canadians. We believe the Government of Canada should continue to invest in high-speed internet and incentivize internet companies to guarantee that all Canadians have equal access to digital services for work, education, and social engagement. This includes:
  - a. Creating evolving standards for high-speed, reliable, and affordable access, as defined by the digital platforms regulator.
  - b. Ensuring that high-speed performance can be verified by a third party.
  - c. Accelerating the completion of broadband infrastructure with clear timelines.
  - d. Subsidizing the costs of rural and remote broadband to guarantee affordable service no matter where individuals live in Canada.
  - e. Ensuring that low-income Canadians can access affordable broadband services.

#### **E. Ensuring user safety, accountability, and awareness**

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1. Individuals should know that they are responsible for anything they contribute to platforms, and that the same laws apply online as well as offline, including but not limited to defamation, hate speech, fraud, conspiracy to do harm, data theft, bullying, and harassment. Without limiting the criminal or civil liability of users, we believe digital platforms should hold users accountable through progressive sanctions for violations to their terms of service and the national code of online conduct.
2. We urge the Government of Canada, in partnership with the provinces and territories, to develop a highly visible public education campaign regarding misinformation, data privacy, and online safety.
3. Within the limits of its constitutional powers, we urge the federal government to support the development of primary and secondary school curricula that address Internet usage in a way that promotes critical analysis and user responsibility, as well as inculcates a respect for basic rules and online netiquette. This curricula should be applied and taught across grade levels and subjects. A related initiative should work to ensure that Canadians of all ages are similarly well-informed.



4. We urge the government to work with community leaders and local cultural groups to promote user awareness as well as education for vulnerable groups with respect to internet safety, online risks, and how to identify misinformation.
5. We urge the government and digital platforms to collaborate on a user education strategy that can reduce the incidence of harmful speech by engaging directly with problematic users.
6. In addition to the ongoing responsibility of the platforms to identify and manage inappropriate content, we urge government and industry to provide mechanisms that allow users to easily signal and report to a competent authority all forms of harassment or harmful content, so that measures against problematic users can be taken more rapidly.
7. We urge the Government of Canada to draw from existing legislation to compile a digital offenses guide that will help to clarify Canadian law as it relates to digital technologies and speech.
8. We urge the Government of Canada to create an inventory of resources, tools, and processes to help citizens who believe they are victims of digital abuse or crime.
9. We urge the Government of Canada to follow the lead of other jurisdictions and impose significant financial penalties on platforms that fail to remove hateful content in a timely fashion, or else fail to remove content when ordered to do so by a court or tribunal.

#### **F. Strengthening independent journalism, enhancing Canadian content, and developing talent**

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1. To ensure that the media Canadians use and consume preserves and elevates Canadian stories and voices, we recommend that:
  - a. The mandate of the digital platforms regulator include the promotion of Canadian content online.
  - b. Like Canadian broadcasters, streaming platforms be required to carry or feature a minimum percentage of Canadian content.
  - c. Digital platforms operating in Canada pay the same taxes as domestic companies and services.
  - d. Algorithms allow users to prioritize the display of Canadian content.
  - e. Dedicated taxes or levies be created to increase funding for Canadian content, including Canadian journalism.
2. To counteract misinformation and strengthen independent, local, and good-quality journalism in Canada, we recommend that:
  - a. The government continue to strengthen its support for local and independent professional journalism.
3. To develop talent in Canada, we recommend that:



- a. The government, through its agencies and councils, celebrate Canadians who are using social media to contribute to Canadian society.
  - b. The government add resources to expand already existing STEM programs to include journalism and A/V production, and subsidize tuition through an education credit on taxes.
  - c. Foreign digital platforms be mandated to hire Canadian talent and dedicate funds to related education and training programs within Canada.
4. We urge the government to direct economic development and innovation funds or provide other economic incentives that could help Canadian digital platforms and services to grow.

## **G. Increasing civic participation**

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1. We urge the government to invest in the development of a Canadian 'democracy exchange' platform, which would address and promote civic participation and encourage Canadians to connect with one another to build a democratic community and take civic actions.
2. We urge provincial and territorial governments to strengthen civics education within schools and across society to highlight the use of digital technologies for democratic expression and community-building.
3. We urge all governments in Canada as well as industry to launch initiatives that will increase the use of online tools to promote public engagement and specifically to hear more directly from marginalized voices.





# APPENDICES

## MINORITY REPORTS

**Members were encouraged to share all points of view throughout the Assembly process. Discussion remained lively but respectful throughout the proceedings, and while some minor differences in opinion remained, every member of the Assembly endorsed the recommendations in this final report. However, members also were given the opportunity to write a minority report if they wished to highlight any points of agreement or disagreement, or to include their own commentary.**

### JAMES DENNY JUNIOR

I want to briefly describe my experience with this process, and voice my support for it and projects like it. Upon initial notification that I had been selected to participate in this once-in-a-lifetime event, I was uncertain as to what to expect. Opening my computer to engage for the first time, with people of which I had no idea about, had me feeling just a little bit anxious. To my surprise I was greeted by individuals who were not dissimilar to myself and who also shared an expressed love for this wonderful country of ours. It became clearly evident that we shared similar points of view regarding our free and constitutional right of civil expression.

I quickly discovered that we shared similar concerns regarding this very right. It was made clear that certain people and/or organizations do not share our common ideology and are willingly engaged in behaviours in an attempt to cause harm and/or promote civil discord within our society.

With the advent of technology and the ever-growing digital platforms that are now available to many, it became imperative that we as a group meet to discuss the issues and, with support from government/regulators, circumvent future upheavals and abuses to this right.

What I really liked about the entire process is that the governing bodies of this country reached out to its citizens to help address this complex matter, instead of implementing a top-down driven set of solutions that did not take into account the abilities of its citizenry to effectively and boldly tackle the identified issues and make recommendations on resolving some of the problems from a grassroots level. By engaging the grassroots population, the process took on a life of its own. Bringing people together to address this common concern was probably one of the most important mechanisms that government has utilized to rectify problems regarding digital/online communications.

### JERARD SAN JUAN

Firstly, I would like to thank the Citizens' Assembly team and my co-volunteers. It was fun discussing with you guys about opposing ideas and ideals. While others are more partial to control, some are more into



freedom. And if there's only one thing that I want our public officials to be very cautious about, it is what 'harmful/hate speech' really is. We all have different tastes, opinions, and life experiences, after all. My co-volunteers and I might not have been able to pass all the recommendations that I wanted, such as urging laws and regulations that give people the right to true anonymity. Still, as Canadians, we ended up with a compromise; thus, I proposed the double-blind data mechanism instead — and that's a good thing because it means that democracy is healthy and working here in Canada. Thanks again for the opportunity.

## MELANIE WATSON

I agree with the recommendations put forward in this report, but I want to emphasize an issue that was not fully explored in our deliberations. Democracy can be supported by ensuring all citizens can access the internet on sustainable and affordable devices that neither degrade the local or global environment nor are prohibitively expensive. This depends on access to affordable systems and devices that do not have obsolescence built into them.

Many Canadians cannot afford to purchase a device to access the internet, let alone a new device every few years, and are therefore cut off from news access, business opportunities, and community or creative advantages that other citizens take for granted. Everyone must have a level playing field to participate in democracy, for there to be democracy.

We cannot sustain the waste of continually throwing away devices while at the same time causing a need for the mining of new raw materials to make new devices. It is unnecessary. We have the ability to create devices that could last a lifetime with systems that evolve and integrate with them, but our current accepted business design of continual company 'growth' is not aimed at accomplishing this at all.

I call on the government to encourage investment in and the creation of companies that truly want to produce devices that are renewable/repairable, and to reward the consumers who buy these devices and system-makers who program for these devices. The products should be affordable, last longer, be easily upgradable without waste, and be entirely recyclable if need be. Users should also be adequately educated on how easy it is to recycle them. Perhaps a new industry of device repair can be created. A regulatory body should be charged with creating standards that would enlighten what a world of sustainable digital devices and systems would look like, and to bring it into being over a set number of years working with government and companies alike.



## GLOSSARY

### **Algorithm**

In computer programming, a set of instructions designed to perform a specific task. Digital platforms and search engines use proprietary algorithms to organize and display content and search results to users, based on input that may include user data and past activity on the platform.

### **Bot (short for 'robot')**

A computer program that operates as an agent for a user or other program, or to simulate a human activity. Often used to automate digital tasks, bots have also been programmed by malicious actors to spread misinformation on digital platforms.

### **Digital platform**

An internet company and/or service on which registered users post information and communicate digitally, including popular social media sites/companies such as Google, Facebook, Twitter, TikTok, and more.

### **Doxing**

The publication of private or identifying information about a particular individual on the internet, typically with malicious intent.

### **Echo chamber**

An environment, typically on social media, where a person only encounters information or opinions that reflect and reinforce their own. Echo chambers can create misinformation and distort a person's perspective, making it difficult for said person to consider opposing viewpoints or fairly discuss complicated topics.

### **E-court**

A tribunal that adjudicates complaints concerning harmful speech as well as other breaches to laws, regulations, and standards that govern digital realms.

### **EU-US Privacy Shield**

A framework that existed until July 2020 for regulating transatlantic exchanges of personal data for commercial purposes between the European Union and the United States. This framework was designed to enable US companies and digital platforms to receive personal data from EU citizens under the latter's stricter privacy laws.

### **General Directive on Data Privacy (GDPR)**

A landmark, comprehensive European Union law regulating data privacy and the control and use of user data by digital platforms and other companies. The GDPR came into effect in 2018.

**Hack**

The act of breaching a secure or otherwise protected computer system or network, usually with malicious intent.

**Harmful online speech**

A general term for information or communications expressed online that includes but is not limited to hate speech, misinformation, cyber bullying, doxing, and other malicious expressions, which may cause emotional, mental, physical, or other harm to the recipient.

**Internet (or digital) literacy**

The knowledge, skills, and behaviours required to access and use internet services and tools, social media and digital platforms, devices that connect to the internet, and related technology.

**Phishing**

An attempt, generally by a scam involving email or social media, to steal personal information for the purposes of gaining unauthorized access to a user's private data or digital accounts.

**STEM**

A collective term for academic or professional fields or programs that involve Science, Technology, Engineering, or Mathematics.



## GUEST PRESENTERS

**Thirteen experts generously gave their time and shared their knowledge with the Citizens' Assembly on Democratic Expression. The Assembly extends its sincerest thanks to each of them.**

### ANASTASIA BERWALD

is a lawyer and PhD candidate in the Faculty of Law at the University of Ottawa whose research focuses on feminist solutions for moderating internet content. She is also a legal advisor in the research department of the Commission des droits de la personne et des droits de la jeunesse du Québec, and a member of the Quebec bar. Previously, she worked as a researcher at the Cyberjustice Laboratory in Montreal and the National Association of Women and the Law in Ottawa.

### RACHEL CURRAN

is Public Policy Manager at Facebook Canada, and former Director of Policy in the Office of the Prime Minister of Canada. She has been a frequent policy commentator on CBC, and has served as President of Wellington Advocacy, Inc. She was also an instructor in the Clayton H. Riddell Program in Political Management at Carleton University in Ottawa.

### BRENDAN DE CAIRES

is Executive Director of PEN Canada, a nonprofit that promotes literature, defends freedom of expression, and helps exiled writers to establish new lives in Canada. He has headed PEN Canada's programs and special projects for a decade, editing and co-authoring country studies of Mexico, Honduras, India, and Guatemala. He has previously worked as an editor in newspaper, trade, and magazine publishing, and as a book reviewer for publications in Canada, the United States, and the Caribbean.

### RON DEIBERT

is Professor of Political Science and Director of the Citizen Lab at the Munk School of Global Affairs at the University of Toronto, where he focuses on research, development, and high-level strategic policy and legal engagement at the intersection of information and communication technologies, human rights, and global security. He has written and edited several books on internet policy, digital surveillance, and cyber security. His most recent book is *Reset: Reclaiming the Internet for Civil Society*, and he is the 2020 CBC Massey Lecturer.

### ELIZABETH DUBOIS

is Associate Professor in the Department of Communications at the University of Ottawa, a member of the university's Centre for Law, Technology and Society, and a Fellow of the Public Policy Forum. Her work examines the political uses of digital media, including media manipulation, citizen engagement, and artificial



intelligence. She leads a multi-disciplinary team that includes political scientists, computer scientists, and communication scholars. Her public writing has appeared in *Maclean's*, *The Globe and Mail*, the *Toronto Star*, *Policy Options*, and more.

### JASON KEE

is Public Policy and Government Relations Counsel for Google Canada, and a former Director of Public Policy for the Entertainment Software Association of Canada. Prior to that, he was an Associate with Fasken Martineau DuMoulin LLP.

### COLIN MCKAY

is Head of Google's Public Policy and Government Relations Team, and a Member of the Board of Directors of the Information Technology Association of Canada. He is a frequent speaker on the adoption of new technologies and their impact on communities, organizations, and businesses, and has led advocacy campaigns on complex internet policy issues.

### PHILIPPE-HENRI MECHET

is Legal Advisor to the Interministerial Directorate of Public Transformation for the Government of France in Paris, and is a leading expert on European digital privacy and data protection policy. He was previously an advisor to the General Secretariat for the Modernization of Public Action, and Assistant to the Deputy Director of Finance and Management Control for the French government.

### TAYLOR OWEN

is the Beaverbrook Chair in Media, Ethics and Communications, and Associate Professor and Director of the Centre for Media, Technology and Democracy at the Max Bell School of Public Policy at McGill University. His work explores Canadian and international platform governance policies and coordination. He is the author of *Disruptive Power: The Crisis of the State in the Digital Age*, and was the director of the Digital Democracy Project, a large-scale digital ecosystem monitoring project of the 2019 Canadian federal election.

### PETER STERN

is Director of Content Policy and Stakeholder Engagement at Facebook, where he is responsible for making and interpreting policies governing what people can share and how advertisers and developers interact with the site. He is a former partner at Morrison & Foerster LLP, where he worked for almost 20 years after receiving his J.D. from the University of California, Berkeley.

### CHRIS TENOVE

is a Postdoctoral Research Fellow in Political Science at the University of British Columbia, where he studies political theory and international relations with an emphasis on issues of democracy, global justice, global



governance, and digital politics. He is also an award-winning journalist and broadcaster whose work has appeared in magazines such as *Maclean's*, *The Walrus*, *Canadian Geographic*, *Adbusters*, *Vancouver*, *This Magazine*, and *Reader's Digest Canada*, and in newspapers such as *The Tyee*, *Globe and Mail*, *Toronto Star*, and the *National Post*.

## LAURA TRIBE

is Executive Director of OpenMedia, a community-driven organization that works to keep the Internet open, affordable, and surveillance-free. Her work focuses on the intersection of human rights and information communication technologies, and she leads campaigns that advocate for digital privacy and empower internet users to stand up for their rights online. Before working with OpenMedia, she worked with Canadian Journalists for Free Expression (CJFE), IFEX (formerly the International Freedom of Expression Exchange), and various tech startups.

## KATHLEEN WYNNE

has been MPP for Don Valley West since 2003 and was the 25th Premier of the Province of Ontario (January 2013 – June 2018). She has also served as Ontario's Minister of Municipal Affairs and Housing, Minister of Aboriginal Affairs, Minister of Transportation, Minister of Education, and Minister of Agriculture and Food.



## ABOUT THE COMMISSION AND PARTNERS

### The Commission on Democratic Expression

**The Commission on Democratic Expression was established to examine how digital technologies are shaping Canadian society and democracy.**

In 2020-21, the Commissioners are:

#### RICK ANDERSON

Principal, Earnscliffe Strategy

Rick Anderson is a Canadian political strategist, public affairs commentator and businessman. Highly active in politics and public affairs commentary throughout his life, Rick has served in senior advisory positions to prime ministers, party leaders and leadership candidates.

#### JULIE CARON-MALENFANT

Director General, Institut du Nouveau Monde

Julie joined the INM - an independent and non-partisan organization that works to strengthen democratic institutions through citizen participation - in 2009, and has taken on the role of general management since 2017. She is regularly consulted on issues related to citizen participation in the public decision-making process and democratic life.

#### ADAM DODEK

Dean, Faculty of Law (Common Law Section), University of Ottawa

Adam Dodek is Dean and Full Professor at the University of Ottawa's Faculty of Law - Common Law Section. He is a public law scholar and previously worked in the private sector and in government, as a Policy Advisor and then as Chief of Staff to the Attorney General of Ontario.

#### AMIRA ELGHAWABY

Journalist and human rights advocate

Prior to joining Canada's labour movement where she currently works, Amira spent five years promoting the civil liberties of Canadian Muslims at the National Council of Canadian Muslims (NCCM) between 2012 to the fall of 2017. Amira is a founding board member of the Canadian Anti-Hate Network.



## JAMEEL JAFFER

Executive Director, Knight First Amendment Institute at Columbia University

Jameel Jaffer is the Executive Director of the Knight First Amendment Institute at Columbia University, which defends the freedoms of speech and the press through litigation, research, and public education. He grew up in Kingston and Toronto.

## JEAN LA ROSE

Former Chief Executive Officer, Aboriginal Peoples Television Network

Jean La Rose was the Chief Executive Officer of APTN from November 2022 until December 2019 after having served as Communication Director to three AFN National Chiefs from 1994 to 2002.

## THE RIGHT HONOURABLE BEVERLEY MCLACHLIN, PC, CC, CSTJ, FCIARB

The Right Honourable Beverley McLachlin served as Chief Justice of Canada from 2000 to mid-December 2017. In the summer of 2018, Ms. McLachlin became a Member Arbitrator at Arbitration Place.



## PROJECT ORGANIZERS

### **Public Policy Forum: Project Lead**

The Ottawa-based Public Policy Forum is an independent, non-partisan, non-profit organization and a registered charity. PPF builds bridges among diverse participants in the policy-making process and gives them a platform to examine issues, offer new perspectives, and feed fresh ideas into policy discussions. They believe good policy makes a better Canada.

### **MASS LBP: Project Partner**

MASS LBP is Canada's recognized leader in the design of deliberative processes that bridge the distance between citizens, stakeholders, and government. For more than a decade, MASS has been designing and executing innovative deliberative processes that help governments develop more effective policies by working together with their partners and communities.

### **Max Bell School of Public Policy, McGill University: Project Partner**

McGill University's Max Bell School of Public Policy is committed to the research, teaching, public outreach, and practical advocacy of sound public policy. The Max Bell School tackles the complexities of the policymaking process from different perspectives to prepare the next generation of policy leaders for Canada and the world.

## PROJECT FUNDERS

### **Government of Canada: Department of Canadian Heritage**

The Department of Canadian Heritage and its Portfolio organizations play a vital role in the cultural, civic, and economic life of Canadians. Their policies and programs promote an environment where Canadians can experience dynamic cultural expressions, celebrate our history and heritage, and build strong communities. The Department invests in the future by supporting the arts, our official and Indigenous languages, and our athletes and the sport system.

### **The McConnell Foundation**

The McConnell Foundation is a private Canadian foundation that develops and applies innovative approaches to social, cultural, economic, and environmental challenges. They do so through granting and investing, capacity building, convening, and enabling co-creation with grantees, partners, and the public.



## Assembly development and facilitation

The Citizens' Assembly on Democratic Expression was designed and facilitated by MASS LBP. MASS is Canada's leader in the use of long form deliberative and participatory processes to shape public policy.

Since 2007, MASS LBP has led some of Canada's most original and ambitious efforts to engage citizens in tackling tough policy options while pioneering the use of Civic Lotteries and Citizens' Reference Panels. As of 2019, 1 in 36 Canadian households had received an invitation to participate in one of 39 Citizens' Assemblies and Reference Panels formed by governments to address a wide range of issues.

### Assembly Team:

- Peter MacLeod, Assembly Chair
- Rosemary McManus, Project manager
- Émilie Hervieux, French co-host
- Chris Ellis, Technical Director

### Facilitators:

- Mélanie Hughes
- Richard Johnson
- Lorena Camargo
- Rukhsaar Daya
- Sherry Leslie
- Rosemary McManus
- Iavor Puchkarov
- Joanna Massie (*Occasional*)

To learn more about their work, please visit [masslbp.com](https://masslbp.com).

To follow developments on this project, please visit [www.commissioncanada.ca](https://www.commissioncanada.ca).

