Free Speech and the Internet

This lesson is part of USE, UNDERSTAND & CREATE: A Digital Literacy Framework for Canadian Schools: http://mediasmarts.ca/teacher-resources/digital-literacy-framework.

Overview

In this lesson students learn about the inherent tension within democratic societies between freedom of expression and freedom from hatred. They also learn how Canada has addressed these issues within the *Criminal Code of Canada*, the *Canadian Charter of Rights and Freedoms* and human rights legislation in Canada, then discuss different methods that platforms could use to moderate hate speech.

Learning Outcomes

Students will demonstrate the ability to:

- Understand how the *Criminal Code* and the *Canadian Charter of Rights and Freedoms* apply to hate on the internet
- Understand the legal and ethical issues emerging from the tension between freedom of expression and freedom from incitement to hatred
- Discuss various free-speech related media issues
- Appreciate the challenges in applying laws to an international networked medium such as the Internet
- Explore the ways that new media, the Internet, and communications technologies problematize the ability for countries to regulate speech of any kind.

Preparation and Materials

For background reading, teachers may want to review MediaSmarts' "Online Hate" section.

Photocopy the following:

- *Freedom of Expression Poll*
- *Hate and the Law* handout

Familiarize yourself with the *Hate and the Law Answer Sheet*.

Review the teacher backgrounder *Complicated Conversations in the Classroom*

If possible, have available chart paper and construction paper, post-it notes, markers, highlighters, tape and any other materials you feel the students will find useful for the Paper Prototypes activity

- Optional: Send home the parent tip sheet *Talking to Kids About Hate Online*

Procedure

Begin by distributing the *Freedom of Expression Poll* handout. Have students read it and circle "Yes" or "No" depending on whether they agree or disagree with each statement.

Once students have considered their opinions, go through the items and tell them how many Canadians agreed with each one:

- Some people avoid saying things they believe because they afraid other people will be offended. (52% agree. Source: *Maclean's*, 2019.)

- It's important for the government to protect citizens' free speech rights. (95% agree. Source: *Maclean's.*)

- It's important to promote an inclusive society that welcomes diverse groups. (92% agree. Source: *Maclean's.*)

- The government should do more to prevent the spread of hate online. (60% agree. Source: Canadian Race Relations Foundation, 2021.)

- It's important for people to respond to hate online so people know it's wrong. (79% agree. Source: MediaSmarts, 2019.)

- Online platforms should make it easier to report hate speech. (70% agree. Source: MediaSmarts.)

- Hate speech against someone that I know hurts my feelings. (80% agree. Source: MediaSmarts.)

- Hate speech against anyone hurts my feelings (68% agree. Source: MediaSmarts.)

If time permits, lead a brief class discussion on the different statements. You do not need to address all of them, or spend the same amount of time on each one: focus on those where there is considerable disagreement within the class.

Activity: Hate and the law

Point out to students that certain kinds of expression are limited by criminal or civil law: making threats, harassment, and sharing intimate images of someone without their consent, for example. Tell them that Canadian law does place some limits on hate speech, then distribute the handout *Hate and the Law* and have students read it and answer questions, singly or in pairs. (If you choose you may assign this as homework the previous class.) Once they have completed the questions, take them up as a class.

Now ask students:

Why do we have relatively few laws that limit expression? *(Because the right to freedom of expression is guaranteed in the* Charter of Rights and Freedoms*.)*

In that case, why do we have laws that limit expression at all? *(Because the Charter says that all rights are "…subject only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society." This means that individual rights are always limited by the potential negative effect the exercise of those rights may have on the public good.)*

Canadian laws only apply to speech or other expression that happens within Canada. Why might that be a problem when it comes to applying these laws online? *(Because of the Internet, it's easy for hate groups to have their material hosted in another country while allowing people around the world, including Canada, to access it. It's also easy to conceal the identity of the author of the content and to have multiple copies of it in different "places" on the Internet.)*

Activity: Debating the issue

Explain to students that most hate content online falls into a grey area between what is illegal under Canadian law and what most people feel should be acceptable speech. Some people use the terms *dangerous* or *borderline* speech for content that does not meet the legal standard of hate speech (or threats or other legally prohibited speech) but is still likely to do harm by encouraging violence or discrimination against a group or reducing the ability of others to speak freely.

Ask students whether they feel the following things should be allowed, prohibited, or limited. (There's no need to discuss or come to a consensus on any of these—just note where there is significant disagreement.)

- Impersonating someone
- Impersonating someone's dead relative
- Deepfakes (perfect simulations of a person in a photo or video) of a person doing something embarrassing or incriminating
- Doxing (publishing someone's personal contact information, such as their phone number or address, without their permission)
- Denying that an event such as the Holocaust happened
- Calls for violence without a direct threat ("Someone ought to…")
- Spam (point out that this actually *is* illegal in Canada unless you've consented to it!)
- Dehumanization (comparing people to animals, either through words or images)
- Falsely accusing someone of committing a crime (legally this is defamation if done against an individual, but not against a group)
- Describing someone as being dangerous or mentally ill
- Publishing instructions on how to commit a crime
- Publishing instructions on how to break into someone's house, including the plan of the house and the person's schedule

Tell students that nearly all platforms *moderate* content beyond just removing clearly illegal content, but there is no clear consensus or best practices on how to do so. As well, most platforms *boost* content by using *recommendation algorithms* to either recommend certain content (like the For You page on TikTok or the Up Next bar on YouTube) or to sort what you see (nearly all social networks with "feeds," such as Instagram and Twitter, do this by default.)

Distribute the handout *Approaches to Content Moderation* which provides an overview of the different approaches taken by platforms. (Tell them not to turn the paper over until you tell them to.)

Explain to students that they are going to be exploring different approaches to moderating "dangerous" speech. Have students form pairs or small groups and assign each group one of the approaches.

Have students discuss the approach and come up with at least two *pro* points (reasons why this is a good approach for platforms to take to content moderation) and at least one *con* point (reasons why it might not work or do more harm than good).

After students have had some time to work, have them turn over the paper and read the "Did you think about…?" text for their approach. Tell them to reconsider their pros and cons after reading that and settle on their final two *pro* points and one or two *con* points.

Each group will then present:

- Their *pro* points (at least two)
- Their *con* points (at least one)
- Their assessment of whether or not online platforms should take this approach and why (or why not).

To make sure students pay attention to all of the presentations, tell them that they will need to draw on other groups' analysis as well as their own in the next activity.

Assessment/Evaluation Activity: Paper prototypes

Tell students that based on their own and other groups' analyses they will now develop a policy that they think allow platforms to most effectively moderate dangerous or borderline speech. They can include any of the approaches analyzed in class (for instance, they may choose two approaches that make up for each other's limitations) and are not required to include the one their group analyzed. They can either develop a "generic" policy for any online platform to use or develop a specific policy for a platform they're familiar with.

Explain to students that their policy should have a "front end" (what users see and do— for instance how videos can be "flagged" on YouTube) and a "back end" (steps the platform follows when dangerous speech is detected or reported) but these do not have to be equally detailed — a system that relied heavily on automatic detection would only have a small effect on what users see on the "front end" for example.

To help them plan and explain their work students will develop a 'paper prototype' where each page represents a 'screenshot' of a particular stage in the process. Students can use post-its, stickers, markers or cut-out and paste paper of different colours to draw attention to key information.

Freedom of Expression Poll

For each of the statements below, circle either "Yes" or "No" depending on whether you agree or disagree with it. Be prepared to explain and defend your opinion in class discussion.

Some people avoid saying things they believe because they're afraid other people will be offended.	**YES/NO**
It's important for the government to protect citizens' free speech rights.	**YES/NO**
It's important to promote an inclusive society that welcomes diverse groups.	**YES/NO**
The government should do more to prevent the spread of hate online.	**YES/NO**
It's important for people to respond to hate online so people know it's wrong.	**YES/NO**
Online platforms should make it easier to report hate speech.	**YES/NO**
Online platforms should make it easier to report hate speech.	**YES/NO**
Hate speech against anyone hurts my feelings.	**YES/NO**

Hate and the Law

Criminal Code

According to Canada's *Criminal Code*, hate propaganda becomes a crime when an action:

- purposely promotes or advocates killing members of an identifiable group (based on colour, race, religion, national or ethnic origin, age, sex, sexual orientation, or mental or physical disability) or creates living conditions which will kill them [section 318(1) under the *Criminal Code]* OR

- "incites" hatred against an identifiable group (based on colour, race, religion, national or ethnic origin, age, sex, sexual orientation, or mental or physical disability) [section 319(1-2) under the *Criminal Code]* by:

  - communicating statements by any means. This includes making such materials available via hyperlink or other digital access

  - occurring in a public place (anywhere the public is free to go or is invited to go)

  - inciting hatred against an identifiable group (based on colour, race, religion, national or ethnic origin, age, sex, sexual orientation, or mental or physical disability)

  - and where it's likely to result in a breach of the peace (i.e. it's likely to result in an outbreak of violence)

To be charged with inciting hate, an individual must be found guilty in all these areas:

- "willfully" (on purpose) promoting hatred against an identifiable group (based on colour, race, religion, national or ethnic origin, age, sex, sexual orientation, or mental or physical disability) [section 319(2) under the *Criminal Code*].

  A criminal act occurs when an individual:

  - communicates statements through any communication other than in a private conversation (courts would have to decide whether or not a conversation between two people on the Internet is considered private)

  - promotes hatred (encourages people to hate or attempts to convince them it's a good thing to do)

  - promotes hatred against an identifiable group (based on colour, race, religion, national or ethnic origin, age, sex, sexual orientation, or mental or physical disability)

There are four possible cases defined in the *Criminal Code* under which a publication that meets all of the above tests would not be a violation of the *Criminal Code*. They are:

1) If the statements are true (though this has never been used successfully as a defence, and there is some doubt whether a statement that met the test for criminal hate speech **could** be true)

2) If the statement is quoting or paraphrasing a religious text as part of an argument that does not otherwise meet the test (in other words, it's not criminal to quote a religious text that advocates hatred so long as you are not doing it to advocate hatred)

3) If the statement is relevant to the public interest and made for the public benefit (as in #1, there is doubt over whether this is possible).

4) If the statement appears as part of an effort to have hate content removed (such as if you were to quote from a hate site as part of a campaign to have it taken down.)

Advocating genocide may be punished by imprisonment for up to five years. Inciting hatred may be punished by imprisonment for up to two years. So far, there have only been three convictions of an individual under section 319 of the *Criminal Code* in relation to posting hate on the Internet.[1] Despite the low rate of conviction, a number of people have been arrested and charged for posting hate speech online and online content has been found to violate section 319 of the *Criminal Code* in other cases.[2]

Under section 302(1) if the *Criminal Code*, a judge can order hate propaganda removed from the internet before it is proven to advocate genocide or incite hatred. If a judge is satisfied there is reasonable grounds to consider online material hate propaganda, they can order the custodian of the computer system to:

a) Give an electronic copy of the material to the court (since the court will need a copy to determine if it fulfills the requirements to be considered hate propaganda)

b) To ensure that the material is no longer stored on and made available through the computer system (by deleting a forum post or a hosted blog, for example)

c) To provide the information necessary to identify and locate the person who posted the material. (This is so that a judge can give notice to the person who posted the material, allowing them the opportunity to be represented before the court and justify why the material should not be deleted)

However, the court must still undergo proceedings to determine whether the material is available to the public and is hate propaganda. If the court is satisfied that the material is publicly available and is hate propaganda, the court can order the deletion of the material; if the court is not satisfied, it orders the electronic copy returned to the custodian. [sections 320(5) and 320(7) of the Criminal Code]

Provincial Human Rights Legislation

All provinces and territories have human rights legislation that provides some measure of protection to classes of people vulnerable to discrimination, and most of these Human Rights Acts or Codes include some provisions which limit freedom of expression. These are not criminal laws, but they do make it illegal to publish or display discriminatory messages. Only *The Yukon Human Rights Act* does not include provisions which forbid discriminatory publications or broadcasts. These legislative provisions vary from province-to-province, the main differences being:

1) Whether the legislation covers a broad range of communication, or only signs and notices.

- Most provincial legislation only refer to any "notice, sign, symbol, emblem, or other representation," while some also include broader terms like 'statement.'

2) Whether the legislation defines the unlawful consequences in terms of discrimination and/or intent to discrimination or in terms of exposing people to hatred and/or contempt.

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1 R. c. Castonguay, 2013 QCCQ 4285, R. v. Noble, 2008 BCSC 216, R. v. Mueller, 2004 ABPC.

2 *McCorkill v. Streed, Executor of the Estate of Harry Robert McCorkill (aka McCorkell),* 2013 NB QB 88176.

- Currently British Columbia, Alberta, Saskatchewan, and the Northwest Territories consider both publications which indicate discrimination or intent to discriminate *and* those which are "likely to expose" a person or group of people to hatred or contempt unlawful. This means that many provinces make it illegal to display notices signifying discrimination—such as a sign reading "White customers only" or bearing racist imagery—while some provinces' human rights legislation protects against the promotion of hatred, similar to the *Criminal Code*. Unlike the *Criminal Code,* however, this legislation is not based on the actions of the perpetrator, but on the probable effect of publication(s) on the targeted group.

3) The identified people or groups covered by the legislation.

- Each province's human rights legislation ensures protection to individuals from being discriminated against on various grounds. Generally this includes a person's race, colour, ancestry or national origin, religion, sex, gender or gender identity, sexual orientation, physical or mental disability, and marital or family status.

- Some provinces include a wider variety of grounds; for example, Alberta, Manitoba, Newfoundland and Labrador, Nunavut, and Prince Edward Island forbid discrimination against an individual because of their source of income, while Saskatchewan specifies "receipt of public assistance." Several provinces also specify political beliefs or association and social condition.

Accusations of discriminatory publications or hate speech are brought before the province's human rights commission, which may decide to pass the complaint to a human rights tribunal for further investigation and dispute resolution. If the provisions against discriminatory publishing are found to have been violated, the tribunal may order the respondent to a) cease and desist the activity violating the provision, b) compensate a specific victim, if they have been singled out by the publication, and/or c) pay a penalty.

Canadian Charter of Rights and Freedoms

In cases relating to hate, where rights to freedom of expression are pitted against freedom from incitement to hatred, Section 2 of the *Canadian Charter of Rights and Freedoms* is often cited as justification for hate speech. Section 2 is the part of our constitution that guarantees freedom of thought, belief, opinion and expression to all Canadians.

At the same time, Section 1 of the *Charter* also states that our rights to free speech are subject to "reasonable limits that can be demonstrably justified in a free and democratic society." Because of this, if the courts find a right has been infringed, or if two or more rights are in conflict, it must use a "balancing test" to decide whether the law or regulation should be struck down or left in force.

In the case of hate speech, the Court has noted that it is not only different rights that must be balanced, but different people and groups' right to free expression: because hate speech has a "tendency to silence the voice of its target group" it can "distort or limit the robust and free exchange of ideas."

In 1990, the Supreme Court of Canada considered whether or not section 319(2) of the Criminal Code (the crime of willfully promoting hatred) violates our constitutional right to freedom of expression in the Keegstra case. James Keegstra was an Alberta high-school teacher who taught his students, among other anti-Semitic beliefs, that the Holocaust was a myth promoted as part of a Jewish conspiracy. The Court held that, although section 319(2) does limit free speech, it is a reasonable limit within a democratic society and under certain narrowly defined conditions does not violate the Charter.

A case in 2013 reaffirmed this ruling and added that courts should now consider whether a defendant intended to expose the target group to hatred, but whether a reasonable person would think this was a likely effect of publishing the hate material.

This is one of a number of limitations on free expression in Canadian law, such as those against lying while under oath in court (perjury), encouraging someone to commit suicide and sharing intimate images of a person without their consent.

The Supreme Court of Canada has also ruled that the prohibition of hate speech in human rights legislation is consistent with the *Canadian Charter of Rights and Freedoms*, citing similar reasoning.

Questions

Answer in full sentences on a separate piece of paper.

1.   What is the definition of an "identifiable group" in the *Criminal Code*?

2.   Under section 320 of the *Criminal Code*, what does a judge have the authority to do before a trial begins?

3.   Would an email sent to a single person, containing hate propaganda, be in violation of the *Criminal Code*? Why or why not?

4.   Why might a statement that met the tests for "inciting hatred" under the *Criminal Code* not be illegal?

5.   Almost every province and territory has human rights legislation that prohibits discriminatory publication. What are the three main ways in which this legislation differs between provinces?

6.   What is the maximum sentence a person can receive for being convicted of advocating genocide? What about that for inciting hatred?

7.   Which provinces have human rights legislation intended to protect people or groups of people from "exposure to hatred and/or contempt"?

8.   In what way can allowing hate speech limit the speech of others? When the free speech rights of different people or groups are in conflict, how do you think the Court (or others) should balance them?

Hate and the Law Answer Sheet

Answer in full sentences on a separate piece of paper.

1. What is the definition of an "identifiable group" in the *Criminal Code*?

   A group defined by "colour, race, religion, national or ethnic origin, age, sex, sexual orientation, or mental or physical disability."

2. Under section 320 of the *Criminal Code*, what does a judge have the authority to do before a trial begins?

   A judge can order material removed from the internet before it has been judged by a court to be intended to promote genocide or incite hatred, as long as they are satisfied there's "reasonable grounds" to consider it hate propaganda.

3. Would an email sent to a single person, containing hate propaganda, be in violation of the Criminal Code? Why or why not?

   No, because the statement must be in a "public place." In 2013, the Supreme Court of Canada ruled that police required a wiretap authorization in order to access e-mails instead of a general warrant, referring to e-mails as "private communications."[1]

4. Why might a statement that met the tests for "inciting hatred" under the *Criminal Code* not be illegal?

   There are four possible defences: if the statement is true (though it may not be possible for hate content to be true); if the statement is a quote from or reference to a religious text which is not being used as part of an argument that is itself hateful; if the statement contributes to a legitimate public debate (again, this may not be possible); or if the statement is being quoted as part of an effort to have hateful content removed.

5. Almost every province and territory has human rights legislation that prohibits discriminatory publication. What are the three main ways in which this legislation differs between provinces?"

   The three main difference between various prohibitions against discriminatory publication include; the range of communication considered 'publications' by the legislation; if the unlawful consequences are only defined in terms of discrimination and/or intent to discriminate, or whether they include exposing people to hatred and/or contempt; and what groups and/or people the legislation identifies as being protected from discrimination.

6. What is the maximum sentence a person can receive for being convicted of advocating genocide? What about that for inciting hatred?

   The maximum sentence for advocating genocide is five years; for inciting hatred, two years.

7. Which provinces have human rights legislation intended to protect people or groups of people from "exposure to hatred and/or contempt"?

   British Colombia, Alberta, Saskatchewan, and the Northwest Territories all include provisions against publications likely to expose people to hatred and/or contempt.

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1 Makin, Kirk. The Globe and Mail. *Top court ruling upholds privacy of e-mail, texts ,* March 2013. <http://www.theglobeandmail.com/news/national/top-court-ruling-upholds-privacy-of-e-mail-texts/article10422574/>

8.   In what way can allowing hate speech limit the speech of others? When the free speech rights of different people or groups are in conflict, how do you think the Court (or others) should balance them?

There's no easy answer for this one! The important point to take from this one is that no-one's right to free speech is absolute. Make sure students understand there are a number of other cases where the law forbids or punishes speech: threats, defamation, harassment, copyright infringement, sharing intimate images of someone without their consent, etc.

Approaches to Content Moderation

Nearly all platforms have some policies and processes for moderating content. Below is a list of approaches different platforms have taken and experts have suggested. (Some platforms use more than one approach.)

1. *Posting clear rules about what is and isn't allowed and enforcing them consistently:* (These rules are usually found in the Terms of Service or Community Guidelines.)

2. *Having human moderators review and delete dangerous content* before it's published or after users report it (or both).

3. *Having artificial intelligence (recognition algorithms) review and delete dangerous content* before it's published or after users report it (or both).

4. *Having trusted users* (alone or as "juries") *act as moderators* to review and delete dangerous content.

5. *Flagging dangerous content* or putting a warning label on it.

6. *Showing users reminders or prompts* when they post content that might be dangerous (for instance Instagram asks if you're sure you want to post something it thinks might be cyberbullying)

7. *Letting users set a filter* to decide what kinds of content they see and what they don't.

8. *Putting limits on* reach *instead of speech*: preventing people from sharing dangerous content and/or preventing the platform's algorithm from recommending it.

9. *Putting stricter limits on* monetized *speech* (where the user makes money from people seeing it, such as videos with ads or influencer posts)

10. *Floor-and-ceiling model*: Setting minimal rules for the whole platform but allowing different communities to adopt stricter ones.

11. *Standards model*: Having the government or an industry body set standards for *how* platforms should moderate content, similar to how there are minimum safety standards for cars, appliances, etc.

12. *Public health model*: decide whether to block or filter content based on whether publishing it is likely to do harm (in the same way a person with an infectious disease may be quarantined to keep them from spreading it).

13. *Focus on intent*: decide whether to block or filter content based on whether it was meant to be hurtful or not (trolling or propaganda compared to sincere belief, counterspeech, debunking, etc.)

14. *Target worst offenders*: Impose stricter penalties on the users who are responsible for the most dangerous content (research suggests on most platforms a small number of users publish the majority of dangerous content, though many other users then share it).

15. *Encourage counterspeech*: On the principle that "the best cure for bad speech is more speech," give users more ways to respond to dangerous speech.

16. *Make users earn speech rights*: Require users to meet certain tests (how long their account has been active, whether other users have upvoted their content, etc.) before they can share content or their content can be shared.

Have you considered...

1. Specific rules almost always lead to long lists of exceptions: Facebook's policy against nudity now has exceptions for breastfeeding, health-related situations and political protests.

2. Big platforms have many more posts per day than moderators can review. Moderators are often poorly paid and suffer psychological effects from seeing this content.

3. Algorithms aren't good at understanding the *context* of a message, so they can't tell the difference between a hateful comment and someone criticizing it. It can also be hard to tell if an algorithm is moderating too much or too little.

4. Most user moderators are untrained and unpaid. They often represent the majority of a group and might not be aware of minority concerns.

5. Flagging has to be done by human or automatic moderators and has all the challenges that come with them. It can also make people think that a post without a label has been verified as being correct or appropriate.

6. This assumes people don't mean to post or spread dangerous content.

7. People can put misleading tags on their posts to get around filters. If it's done automatically, "false positives" mean posts you want to see could be filtered and you'd never know it.

8. Recommendation algorithms are designed to boost the most engaging content. Because people feel very strongly about it (positively or negatively) dangerous or borderline content is usually more engaging than other content.

9. This approach means accepting that some online spaces will always be unwelcoming to people targeted by hate.

10. This model sets a minimum standard but doesn't encourage platforms to do any better.

11. This model means a lot of content that isn't dangerous might be blocked because it looks like dangerous content (for example, quoting someone else's post to disagree with it).

12. This model requires moderators (either human or automatic) to guess what the person posting the content was thinking.

13. Research shows that removing worst offenders does reduce dangerous content—but it also makes those users go to unmoderated platforms where they become more radicalized.

14. To counter something you have to know it exists. A lot of dangerous content online isn't seen by people who would respond to it.

15. People could abuse this by ganging up to report or flag someone they don't like, so they lost their right to post.

Paper Prototypes

How do you think platforms should moderate dangerous or borderline content? For this project you will create a *paper prototype* that will show the *policy* and *process* you think will is most fair and effective.
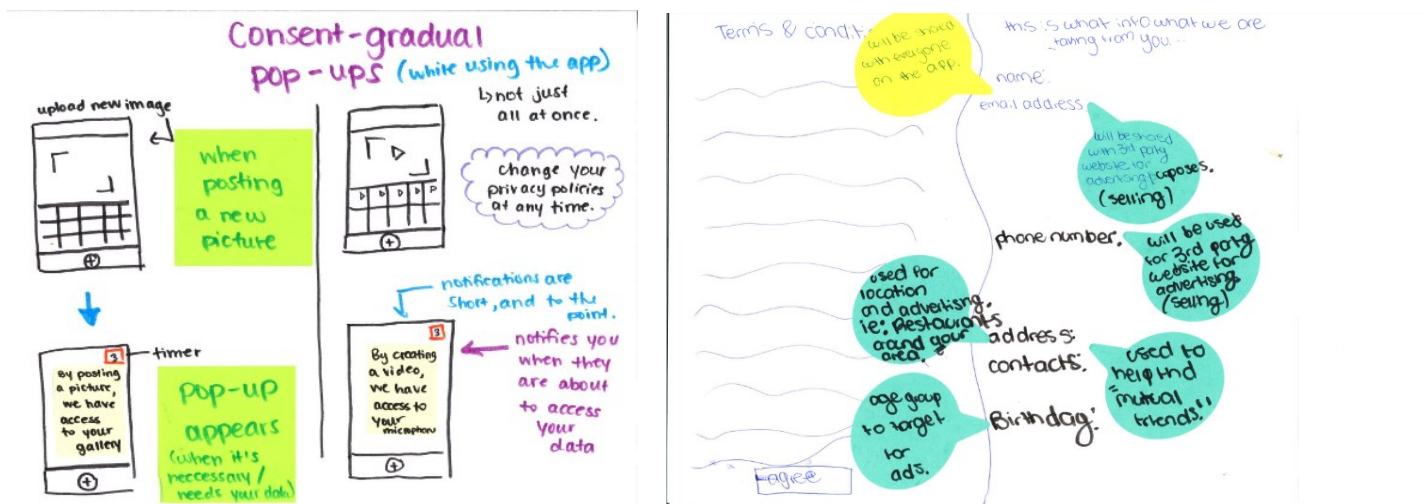
This should be based on your own and other groups' presentations on different approaches to content moderation. You can include any of the approaches analyzed in class (for instance, you may choose two approaches that make up for each other's limitations) and are not required to include the one your group analyzed.

You can either develop a "generic" policy for any online platform to use or develop a specific policy for a platform you're familiar with.

Your policy should have a "front end" (what users see and do— for instance how videos can be "flagged" on YouTube) and a "back end" (the steps the platform follows when dangerous speech is detected or reported) but these do not have to be equally detailed — a system that relied heavily on automatic detection would only have a small effect on what users see on the "front end," for example.

You will explain your policy and process through 'paper prototype' where each page represents a 'screenshot' of a particular stage in the process. Use post-its, stickers, markers, construction paper or anything else you want to draw attention to key information.

Below are a few examples of paper prototypes that students made to show how they would like online platforms to ask permission to collect and use their personal information:

Task Assessment Rubric: Debate

	Learning Expectations	*Achievement*
Use Skills and competencies that fall under "use" range from basic technical know-how – using computer programs such as word processors, web browsers, email, and other communication tools – to the more sophisticated abilities for accessing and using knowledge resources, such as search engines and online databases, and emerging technologies such as cloud computing.	*Ethics and Empathy:* demonstrate an advanced sense of suitable behaviour, finely tuned to media context, audience and legal provisions *Community Engagement:* exhibit leadership as a digital citizen advocate and practice safe, legal, and responsible use of information and technology	Insufficient (R); Beginning (1); Developing (2); Competent (3) Confident (4)
Understand Understand includes recognizing how networked technology affects our behaviour and our perceptions, beliefs and feelings about the world around us. Understand also prepares us for a knowledge economy as we develop information management skills for finding, evaluating and effectively using information to communicate, collaborate and solve problems.	*Ethics and Empathy:* show understanding of the concepts of free speech and content moderation understand the dynamics of online hate content and how it affects all of the people involved practice perspective-taking with respect to a complex issue *Community Engagement:* show awareness of the discourse on the balance of rights and responsibilities in relation to digital media and hate content show an under show an understanding of the roles and responsibilities of different stakeholders in relation to hate content	Insufficient (R); Beginning (1); Developing (2); Competent (3) Confident (4)

	Learning Expectations	*Achievement*
Create Create is the ability to produce content and effectively communicate through a variety of digital media tools. It includes being able to adapt what we produce for various contexts and audiences; to create and communicate using rich media such as images, video and sound; and to effectively and responsibly engage with user-generated content such as blogs and discussion forums, video and photo sharing, social gaming and other forms of social media. The ability to create using digital media ensures that Canadians are active contributors to digital society.	*Ethics and Empathy:* Create a work that clearly communicates their understanding and expresses their opinion on the issues of free speech and content moderation *Community Engagement:* identify and participate responsibly in discussions that foster positive community show an understanding of the interrelationship between rights and responsibilities online	Insufficient (R); Beginning (1); Developing (2); Competent (3) Confident (4)