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HUMAN RIGHTS

The legal system



Social Media

OUR LEGAL RESPONSIBILITIES

Setting the Scene

Expressing ourselves online can be rewarding.

But some online behaviour can have legal consequences, especially when it hurts other people's rights.

Learn more at educaloi.qc.ca:

- privacy and the Internet
- cyberbullying
- protections against discrimination

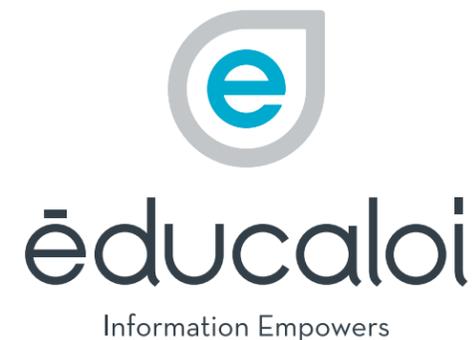
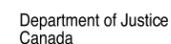
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This pamphlet is up to date to Avril 2022.

It has general information only. The information applies only in Quebec. If you need legal advice on a specific situation, consult a lawyer or notary.

Posting Pictures of People

Before you post a recognizable picture or video of people online, think again. You usually need their permission.

There are some exceptions to this rule. For example, if you take a picture of a crowd at a public event, like a hockey game, you don't need the permission of every person.

You also usually need permission to share private information about other people. This includes information about their personal life and health.

People can ask the websites involved to remove posts. Companies have different policies on this.

If the information or image causes the person harm, a judge can force you to take down the post and even pay compensation.

Comments About People and Insults

If you post images or comments about people that damage their reputation or dignity, they can sue you to make up for harm caused.

A harmful post might be a nasty insult, a hateful image or a suggestion about someone that isn't true.

Harassment and Threats

Just like in real life, people can be sued or charged with a crime for harassing or threatening people online.

Parents must intervene when their child is cyberbullying others or being cyberbullied. Parents can be held legally responsible for harm their child causes.

If someone repeatedly posts comments on your social media page that make you feel unsafe, you can call the police. They could be charged with criminal harassment.

A public post that promotes hate against a group of people could also be hate speech, which is a crime in Canada.

A single threat made through a tweet or post could also be a crime, even if the person doesn't plan on carrying out the threat.

Complaining About Businesses

Businesses have a right to reputation.

Some businesses have brought people to court in Quebec for posting negative or untrue comments about them on Facebook.

Courts try to find a balance between free speech rights and the right to reputation. A court might ask if the comments were

- based on true facts,
- made with good intentions (not just to hurt someone),
- reasonable and fairly presented, or
- in the public interest to share.

Quebec law also has protections against abusive lawsuits.

Posting "Intimate" or Sexual Images

Sharing intimate images of people without their permission is a crime. For example, it is illegal to post intimate photos of a former partner on social media or send them to a friend.

What is an intimate image?

It is a private photo or video showing parts of the body, such as breasts or genitals, or depicting an explicit sexual act.

People who share intimate images could face up to five years in prison.

People who post or repost intimate images of a person under 18 can be charged with distributing child pornography.

