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### Commission on the Status of Women

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**Follow-up to the Fourth World Conference on Women and  
to the twenty-third special session of the General Assembly  
entitled “Women 2000: gender equality, development and  
peace for the twenty-first century”**

### **Statement submitted by South Asian Legal Clinic (Ontario), a non-governmental organization in consultative status with the Economic and Social Council\***

The Secretary-General has received the following statement, which is being circulated in accordance with paragraphs 36 and 37 of Economic and Social Council resolution 1996/31.

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\* The present statement is issued without formal editing.



## Statement

South Asian Legal Clinic of Ontario is a not-for-profit Legal Aid Ontario specialty clinic with a mandate to enhance access to justice for low-income South Asian communities in Ontario and Canada. Our work includes direct legal services, legal education, law reform and community development work in various areas of poverty law, including employment law, immigration, human rights, family law, income security, and gender-based violence (ex., Forced marriage, human trafficking, intimate partner violence, and elder abuse). We are also a founding and steering committee member of the Colour of Poverty- Colour of Change coalition, which works to address issues of systemic racism and discrimination that impact all life outcomes for racialized people in Canada. South Asian Legal Clinic of Ontario welcomes the theme of the 67th Session and hopes to provide a lens that considers the interaction of race and socioeconomic status in innovation and technological change.

The development of technology and education in the digital age can further the goals of gender equality and empowerment of women and girls. However, a push for technological change and development without consideration of the lived experiences of the most vulnerable will result in further inequalities between groups of people. As such, while we push for innovation and technological change, we must ensure that the infrastructure of countries, companies and all organizations continue to support both digital advancement and non-technology-related alternatives to ensure that the most vulnerable individuals have equitable access to resources and the ability to participate. Our statement is rooted in our Canadian experience and will focus on: (1) how remote learning was disempowering to racialized women and students, (2) concerns about gender-based violence and (3) the Digital First strategy in the justice system.

During the COVID-19 pandemic, the world quickly shifted from in-person to technological-based interactions in many industries and areas of life. In Ontario, like across the globe, there was an emphasis on remote learning in education. The sudden and drastic shift to technological-based interactions has been disempowering for many racialized women and kids. In Canada, racialized women and children face disproportionate poverty levels, resulting in a lack of technological resources. In Canada, women are slightly over half (51.5%) of all people of colour and women of colour are 11.5% of Canada's total population. Racialized people in Canada are significantly more likely to live in poverty, and the 2016 Census showed that 20.8% of people of colour are low-income compared to 12.2% of non-racialized people. Racialized women are also over-represented in part-time and precarious employment, characterized by lower wages, absence of benefits and job insecurity. In Ontario, racialized women earned 58 cents for every dollar a white man earned in 2015. A study published by Toronto Metropolitan University and Environics Institute for Survey Research found that 3 in 10 Canadian families did not have access to online classes at home because of difficulty paying for the internet, and others did not have access to a computer. Racialized families were more than twice as likely to have trouble accessing a computer or affording the internet. This barrier to technology was exacerbated during the pandemic, as individuals could not access public libraries. So many racialized women and their kids needed to rely on unstable and unsecure public WIFI accessed at places like Tim Hortons. In these cases, the shift to a digital space left many racialized young women and children significantly behind in education.

In remote learning spaces language also presented a barrier. Technology was disempowering in remote learning situations for many women and children who did not speak English/French as a first language. Remote learning decimated supports regularly offered in the classroom that are not easily replicated in the virtual space.

For example, racialized women and children trying to learn a foreign language often find speaking easier than reading. As such, racialized individuals who speak English or French as a second language benefit from the oral communication that the physical presence of their peers and teachers offers in a manner that remote learning does not provide. Similarly, children who have disabilities may have consistently relied on supports and accommodations offered in the classroom that cannot easily be replicated in a virtual environment. Remote learning placed a more significant burden on racialized women and girls, who face additional barriers of lower -income, lack of access, and inequitable tools to provide support for disabled children outside of the in-person school setting.

In Canada, multigenerational households (those housing three or more generations) are becoming the fastest-growing family household type in recent decades. Multigenerational households have increased by 50% since 2001, Indigenous people and racialized newcomers account for a growing number and share of Canada's population, and are more likely than others to live in multigenerational households for a variety of factors, including financial strategies, lack of sufficient housing and cultural preferences. In these scenarios, women, like their counterparts in other parts of the world, are more likely to bear the brunt of childcare and household upkeep, resulting in missed opportunities to access the internet or other technologies even when those tools are present in the household.

It is understood that women, girls, and gender-diverse people are at high risk of gender-based violence. This risk increases with additional forms of marginalization like disabilities, race, and Indigeneity. During COVID-19, all emerging reports indicate that all types of violence against women and girls, particularly domestic violence, have increased. Social and physical isolation measures necessary for collective safety also left women and girls with fewer options for reporting or escaping the violence they were experiencing. In general, domestic violence can lead to absenteeism, concentration difficulties and poorer work performance -- sometimes resulting in lost jobs. This increased levels of violence without respite further disrupts and negatively impacts women's and girls' ability to study and engage in their usual networks, including accessing technology in a safe and meaningful manner. In addition, without the appropriate protection and consideration, these technological tools can be used to further control women experiencing domestic violence or be the place women and girls experience gender-based violence. In 2009, 67% of the victims of police-reported intimidation on the internet were women and girls. This new and ongoing avenue to experience violence leads 1 in 5 girls to reduce their social media presence worldwide.

Within Canada's justice system the focus on digital avenues for in judicial settings was lauded by many as a mechanism to enhance access to justice. However, experience now demonstrated that these shifts have been disempowering, particularly for low-income racialized women and girls. For example, Ontario's Digital First strategy emphasized using digital tools like virtual hearings, filing documents online or via email while decommissioning other avenues of access to the Tribunals like in-person customer service and a telephone line. This unilateral decision has negatively impacted some of the most vulnerable populations in Ontario, including low-income, racialized women, because it assumes that everyone has a computer with a reliable internet connection and the technological wherewithal to apply and engage in virtual hearings. In reality, low-income racialized women and other marginalized individuals are not able to access these judicial settings that provide vital remedies in areas like employment, human rights, housing, and income support simply because they do not have access to required technology reliably and consistently and may have language barriers that prevent them from engaging.

This problem is compounded across Canada for women and girls living in rural areas, where they lack reliable broadband infrastructure. This inaccessibility to digital technology is present in many parts of the global South and North.

The use of technology as a tool for empowering women and girls and the importance of reducing the digital divide between genders is essential as our society continues to grow into a technology-dominated society. However, advancement must be balanced against the impact of low-income racialized women and girls across the world. Canada provides one example of the lessons around disempowerment for these populations with a shift to a digital first world. Education and remote learning have provided an example of the potential for further marginalization for women and girls. Alongside actions to support digital literacy for women and girls, we must acknowledge and address the root causes of how these opportunities can also be barriers for many racialized women and children.

South Asian Legal Clinic of Ontario petitions the 67th Commission and Member States to:

1. Increase funding to improve accessibility to technology and technological infrastructure for low-income racialized populations of women and girls across the global North and global South, including those in rural areas;
2. Provide streams of funding for data collection and the study of barriers to women and girls presented by a shift to digital technology; and
3. Recommend that all national governments address the growth of online/digital violence against women and girls across the world.

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