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FACILITATING ACCESS TO JUSTICE THROUGH SOCIAL MEDIA & TECHNOLOGY: AN EXPLORATORY INQUIRY



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INTRODUCTION

In 2019, Immigration and Customs Enforcement (ICE) agents in the USA carried out raids by arriving unannounced and arresting dozens of workers that they suspected to be undocumented immigrants, many of who have resided in the USA for years.¹

Graphics similar to the one depicted (right) began circulating on social media in the Summer 2019. The images were shared on Facebook, Instagram, and Twitter. The images provided legal information to those who may be targeted by ICE raids. *What to do if ICE comes to your door*² explains the rights of those targeted by ICE and a hotline for reporting the raids.

This poster presents an exploratory inquiry into the role and efficacy of legal information disseminated across social media. The research examines the opportunities and barriers in this area and a proposed program for future research.

WHAT TO DO IF ICE COMES TO YOUR DOOR

- DO NOT OPEN DOORS**
ICE cannot come in without a signed warrant or if you let them in. Tell them to pass the warrant under the door before you open.
- REMAIN SILENT**
ICE can use anything you say against you in your immigration case so claim your right to remain silent!
**Say "I read the 5th amendment and choose to remain silent!"*
- DO NOT SIGN**
Don't sign anything ICE gives you without talking to an attorney.
- REPORT THE RAID!**
Report immediately: UWD hotline 1-844-363-1423
Take pictures, video and notes: badge numbers, number of agents, exactly what happened!
- FIGHT BACK!**
Get a trustworthy attorney & explore all options to fight your case. If detained, you may be able to get bail - don't give up hope!

undocumented.org/ICEcollaboration | @DetainedWeDemand

RESEARCH CONTEXT

*Access to justice may be defined as the ability of people to seek and obtain a remedy through formal or informal institutions of justice for grievances in compliance with human rights standards.*²

Access to Justice and the Last Mile Problem

I posit in this research that the last mile problem refers to a link between an individual and the legal network/system in the context of digital legal information (people, services, and organizations). The last mile in the legal network to accessing justice can be simple or complex to achieve (ex. finding an immigration lawyer in your geographic region or completing an application for custody, access, or child support). The last mile problem can be caused due to financial constraints, cultural competencies, data access, emotional access, language competencies, and education levels.

This research suggests that the last mile problem for Canadians to access justice can be partly addressed through effective social media communications where targeted information can be provided to different groups of people who require the information based on their demographics, psychographics, and geographics.

Social Media in Canada

Social media has been empirically proven to be a source for information, activism, opinion expression, including those of experts, and allows users to join causes and find mobilizing information that is accessible.³

In 2019, Statistics Canada reported that 94% of Canadians had home internet access.⁴ Furthermore, it has been reported that 84% of Canadians have a Facebook account. Other social networking sites such as Youtube (content-sharing), Twitter (micro-blogging), LinkedIn, and Instagram have medium-high usage rates among Canadians.⁵



RESEARCH QUESTIONS

Research questions should be developed through a systematic review of relevant literature. Based on the exploratory inquiry conducted for this poster, relevant questions could include:

1. What type of legal information is available to Canadians through social media channels?
What calls to action are used? Who is the target audience? What appeals are used in the communications? What is the substantive content?
2. How can legal information be effectively communicated to a target audience through a digital medium (including social media)?



Opportunities

- Targeted communications can help people identify legal problems and provide a digital referral ex. guided instructions online, community workshops, websites, etc.⁶
- Creating technology based self-help centers and websites to provide forms, videos, and legal information^{2,3}
- Technology to assist with document preparation and guided instructions delivered over the web to self represented litigants^{2,3}
- Web pages and targeted communications can be easily translated for different audiences ex. the ACLU offers all of its legal information in Spanish.



Barriers

- Lack of adequate and appropriately targeted funding⁷
- Social media campaigns and projects have a cost associated with its implementation; 'free' platforms require staff time⁷
- Technology projects have start-up, maintenance, and training costs to ensure that the project is sustainable^{6,7}
- Misinformation or dissemination of deliberately inaccurate information

Examples of online initiatives to empower people to understand and take action on their legal problems.

Scan the QR code with your phone to find out more!

legalinfo.org stepstojustice.ca



Legal resources exist, but how can the targeted legal information be delivered to those who need it? This research suggest that social media can act as a proxy to connect people to resources that are reliable, practical, and easy to understand.

PROPOSED PROGRAM OF RESEARCH & METHOD

The proposed program of research consists of two studies to examine the dissemination of legal information on social media and how to develop effective communications regarding legal information available online.

Study 1 - Content Analysis: A content analysis will be conducted to understand what type of legal information exists for Canadians on social media platforms. Content can be scraped online from legal aid organizations, governmental agencies, and NGO's. Using best practices from Krippendorff (2004), a coding procedure will be developed to code for the different types of communication strategies used, calls to action, the type of legal information provided, accessibility, level of engagement (if applicable), and the nature of the substantive content (criminal, civil, family law, etc.).

Study 2 - Qualitative Interviews: Individual in-depth, semi-structured interviews with various imperative stakeholder groups will be conducted to understand effective strategies for delivering relevant legal information. Interviewees could include: self-represented litigants, rural residents, people with disabilities, community organizers/activists, newcomers, and people from lower socio-economic backgrounds.

Methodology: The interviews will be analyzed using grounded theory and thematic analysis. Grounded theory is an iterative process where data, theory, live experience, and perceptions are analyzed for emerging themes that are related to each other.



CONCLUSION & DISCUSSION

There is an absence of literature that examines how to deliver legal information on topics related to legal procedures and processes to stakeholders who have a legal problem and require the relevant legal information. The proposed research examines the opportunities and barriers to delivering accessible justice through social media and technology, as well as identifying and evaluating strategies that can be implemented by organizations to increase the efficacy of legal information that is made available through social media channels and technology. Ideally, the findings of the research will contribute to reducing the last mile problem faced by Canadians in accessing justice in this particular context.

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- ⁶ Robertson, C. B., "The Facebook Disruption: How Social Media May Transform Civil Litigation and Facilitate Access to Justice" (2012) 65 *Arkansas Law Review* at 75.
- ⁷ Wolf, M. J., "Collaborative technology improves access to justice" (2012) 15 *N.Y.U. Journal of Legislation and Public Policy* at 759.

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KNOW YOUR RIGHTS!

Trans & Gender Non-Conforming Youth

The U.S. Department of Education has declared that Title IX's sex discrimination prohibition extends to claims based on gender identity or failure to conform to stereotypes of masculinity or femininity. Title IX also protects against sexual violence. Complaints of discrimination or harassment can be filed for investigation with the office of Civil Rights.

YOU HAVE THE RIGHT TO an equal education regardless of your gender identity or expression.

YOU HAVE THE RIGHT TO not be harassed, victimized, or bullied because you are transgender or gender non-conforming. School faculty are obligated to take action against harassment, victimization, or bullying.

YOU HAVE THE RIGHT TO wear clothing and hairstyles and present yourself in a way that is consistent with your gender identity, as long as you follow rules for appropriate attire that apply to all students.

YOU HAVE THE RIGHT TO privacy concerning your transgender and transition status.

YOU HAVE THE RIGHT TO be free from sexual violence.

For more information go to www.transrights.org/press
www.transrights.org/press
Transgender Law Center help line: 416.263.2100 x 3000

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