



Report for Action with Confidential Attachment

Pioneer Village Station Art Installation

Date: January 18, 2018
To: TTC Board
From: Head of Legal & General Counsel

Reason for Confidential Information

This report contains advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

Summary

Prior to the public opening of Pioneer Village Station, staff elected not to activate the art installation as previous concerns with respect to the possible misuse of the messaging feature had not been addressed.

The artwork included as part of Pioneer Village Station is entitled "*LightSpell*" and is an interactive installation consisting of a suspended array of 40 light elements. Each element is made of 16 individually controllable luminaries and can produce all letters of the alphabet, as well as special characters and numerals from 0 to 9.

Touch-screen keyboards are located on the platform level and allow customers to type messages of up to eight characters in length using the letters of the alphabet, special characters or numerals, which messages become visible through the light display.

The current installation allows customers on the subway platform to type in any eight-character message which message will then be broadly displayed for view to all other customers and employees on the platform level. There is a significant risk that the system could be misused to include hate messages or messages that target and/or discriminate against a specific individual or group of people. Such misuse will undermine the objective of creating a safe and welcoming environment, which environment is free from any form of discrimination or harassment.

Recommendations

It is recommended that the Board:

1. Approve not activating the art installation at Pioneer Village Station until:
 - a. mitigation features can be added to limit the potential for misuse, and
 - b. further consultation with the artists.
2. Approve the recommendations as set out in the Confidential Attachment 1.
3. Authorize that the information and recommendations provided in the Confidential Attachment 1 to remain confidential in its entirety as it contains advice which is subject to client-solicitor privilege.

Financial Summary

The cost of the potential mitigation features are currently unknown and are dependent on which mitigation features are implemented. However, the costs of any mitigation measures are not expected to be significant and funds are available within the Capital Program.

The cost related to design and construction of the art installation at Pioneer Village Station, which is part of the TYSSE budget, is approximately \$1.9M, which includes approximately \$200,000 paid to the artists for the concept and implementation of the artwork.

The Chief Financial Officer has reviewed this report and agrees with the financial summary information.

Equity/Accessibility Matters

The TTC is committed to providing a work and service environment that is safe and welcoming, and free from any form of discrimination or harassment. The current art installation at Pioneer Village Station provides TTC customers with access to type eight-character messages for public display. The current software contains no filters and allows for potential misuse by the public. TTC staff has raised concerns with respect to the potential for inappropriate content, including but not limited to, hate messages or messages that target and/or discriminate against a specific person or group of people, to be displayed.

The recommendation as noted above is that the art installation not be activated until mitigation features are included to greatly reduce the risk of misuse and the potential for discrimination or harassment against TTC customers and employees.

Decision History

In 2009 as part of a competitive procurement, a contract was awarded for the public artwork at Pioneer Village Station to realities: united gmbh, led by artists Jan Edler and Tim Edler.

As part of the TYSSE project, Art Design Review Committees were created for each station which provided representation relating to the selection of public art at the new stations from the municipalities and relevant stakeholders. The public art for Pioneer Village Station created by realities: united was presented and approved by the Pioneer Village Station Art Design Review Committee (previously referred to as Steeles West Station) in 2009 and 2010. The Pioneer Village Station Art Design Review Committee included representatives from the City of Toronto, City of Vaughan and York University.

At its meeting of February 2, 2011, the Board approved the final design, finishes and artwork for Pioneer Village Station as part of the Toronto-York Spadina Subway Extension.

[http://www.ttc.ca/About the TTC/Commission reports and information/Commission meetings/2011/February 2 2011/Reports/TYSSE Steeles West S.pdf](http://www.ttc.ca/About%20the%20TTC/Commission%20reports%20and%20information/Commission%20meetings/2011/February%202%202011/Reports/TYSSE%20Steeles%20West%20S.pdf)

Issue Background

The art installation at Pioneer Village Station, entitled “*LightSpell*” was developed by Berlin-based artists, realities: united gmbh, led by Jan Edler and Tim Elder. The artwork is an interactive installation consisting of a suspended array of 40 light elements which allows TTC customers to type out eight-character messages on touch-screen computer terminals, which messages are broadcast above the station platform. The touch-screen keyboards include all of the letters of the alphabet, special characters and numerals 0 to 9.

The typed messages become visible through the light display and remain visible until a new message is typed. The software which runs the system was developed by the artists and does not currently contain any filters, pre-approved words, or prohibited words.

From the original development of the art concept up until the opening of Pioneer Village Station, TTC staff, and members of the public, raised concerns with the artists relating to the potential misuse of the artwork (messaging system). TTC concerns are largely focused on customers using the system to type and display inappropriate content, including potential hate messaging or messaging that targets a specific person or group of people.

TTC strives to ensure that its transit system is a safe and welcoming environment and concerns remain that without any mitigation features that potentially restrict content on what a customer can publicly type and display that this goal is undermined.

Over the last several years, TYSSE staff have repeatedly raised concerns with the artists and believed that some mitigation feature (e.g. filter) was going to be included in the software. It was not until just prior to commissioning of the artwork that the TTC learned that the software did not include any mitigation features to limit the potential misuse of the system.

Prior to the public opening of Pioneer Village Station, TTC staff decided not to activate the art installation as previous concerns with respect to the possible misuse of the messaging feature had not been addressed.

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Signature

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Attachments

Confidential Attachment 1