

Federal privacy laws for young people



By Peter Menyasz

On-line privacy has been a major issue since Internet use started to explode, but the landscape is changing so quickly that even privacy experts are having trouble keeping up. And the privacy of young people, who are among the heaviest users of the potentially most privacy-invasive services on the Internet, is at serious risk.

Federal Privacy Commissioner Jennifer Stoddart recently took steps to review two emerging areas of concern – on-line tracking, profiling and targeting, and “cloud” computing – through consultations to determine the extent of privacy issues and what might be done to limit them.

The issue of tracking, profiling and targeting is particularly relevant for young people, as it is a key component of social networking sites, and is even becoming increasingly an issue with cell phone networks, Wi-Fi access points and global positioning systems (GPS). While businesses claim that behavioural marketing and location-based tracking help support free on-line content, relevant advertising and discount offers, and the development of innovative services, critics have raised red flags about the privacy implications.

People in general, but particularly youth and children, may not be aware that their personal information is being collected, and have no understanding of how and why it is being used. They use free on-line and cell phone-based services, helping the businesses involved to develop profiles of them and collect information about them and their friends. Even if the information collected is anonymous, it can still be combined with other information to identify and/or locate individuals.

The on-line tracking, profiling and targeting consultations are intended to provide the Office of the Privacy Commissioner of Canada with support for potential amendments to federal privacy laws when the Personal Information Protection and Electronic Documents Act is next reviewed, and submissions to the consultations can be made through March 15, 2010 by e-mail (consultation1@priv.gc.ca).

In-person consultations are planned for April 29 in Toronto and May 19 in Montreal. The Toronto program will include sessions on location-based and geospatial tracking and on children's privacy in the evolving on-line environment, while the Montreal program includes sessions on gaming and marketing and on virtual worlds and their real world issues.

The privacy agency has launched a second consultation on "cloud" computing, which involves the provision of on-line services, located on remote computers, using software and hard-ware managed by third parties. These include Webmail and social networking sites, both of which are heavily used by young people.

The benefits of cloud computing cited by proponents are similar to those for tracking and profiling – lost-cost use of services and easy access to data and computer programs, regardless of the user's location. But the privacy risks are equally clear, as cloud computing services are collecting and storing increasingly large amounts of information, and users may lose control over who has access to the information, where it is being stored and how it might be used, retained or disclosed.

These are critical privacy issues, and parents would be well advised to monitor the results of the privacy commissioner's consultations, if not in fact participate by providing information on any issues their children may have had with online services.

Details of the privacy agency's consultations are available at http://www.priv.gc.ca/resource/consultations/index_e.cfm.

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In a related development, the federal privacy agency is hosting an on-line site dedicated to helping young people understand and deal with the privacy issues raised by on-line life. The "myprivacy, mychoice, mylife" site (<http://www.youthprivacy.ca>) provides detailed information how technology affects privacy and how to use technology properly so things that should be private remain private.

A separate section of the site provides resources for parents and teachers on the privacy implications of children's on-line activities, including help in understanding social networking sites like Facebook and MySpace and the dangers they involve, including the fact that most young people (and a lot of adults, for that

matter) are simply unaware of the tools provided by those sites to ensure privacy is protected.

The site offers a Creative Guide for Teachers and Parents (<http://www.youthprivacy.ca/en/guide.html>) that provides an overview of on-line behaviour, how it affects children and youth, and how parents can respond to the challenges and issues – privacy settings; passwords; protecting identity; on-line gaming; e-mail; Facebook; iPhone applications; on-line dating sites; “sexting”; and cyber-bullying.

There is even a blog area, where young people can exchange ideas and thoughts about their on-line experiences and how to address privacy issues.

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