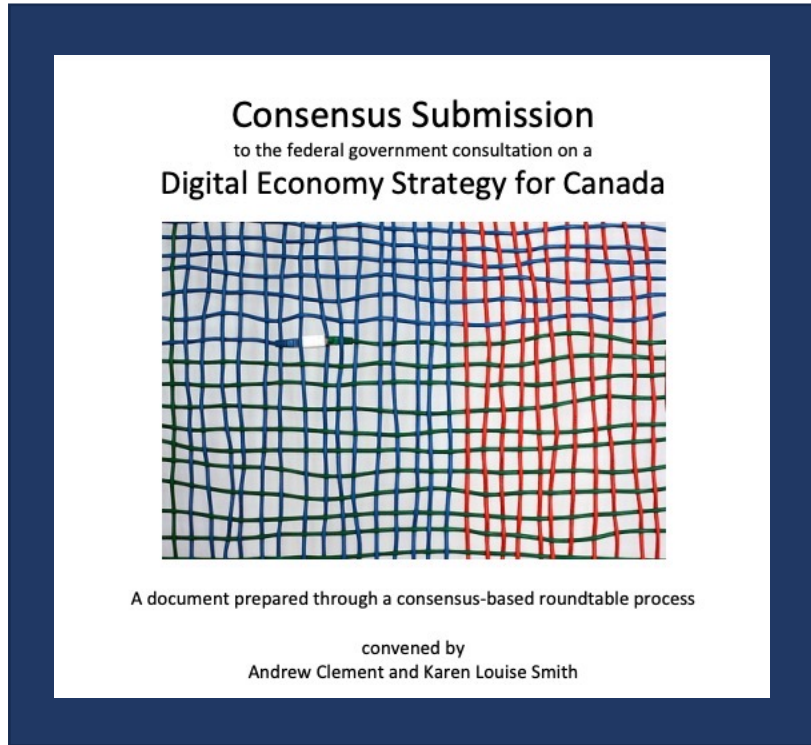


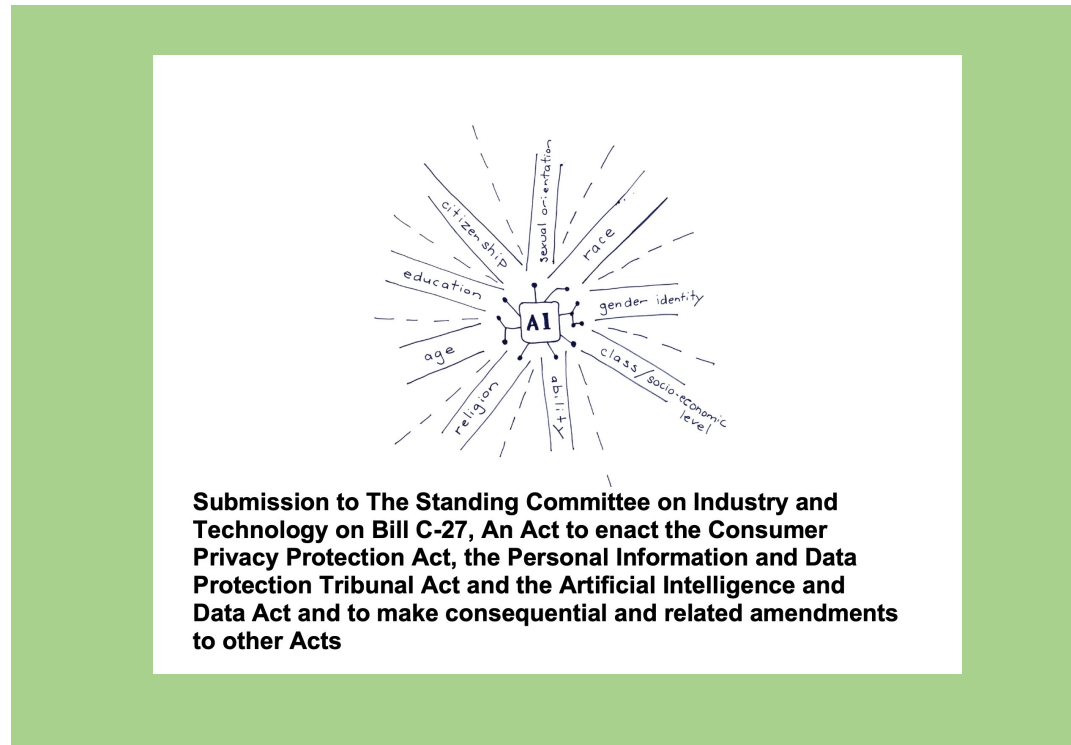
An Engaged Scholar? Interventionist Tactics for Digital Regulation in the Public Interest

Dr. Karen Louise Smith

karen.louise.smith@brocku.ca

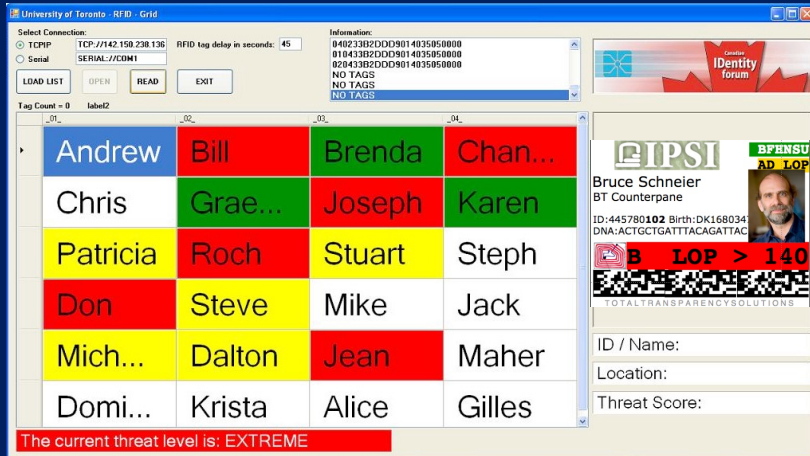


2010



In draft *now* (with Sara Bannerman et al.)

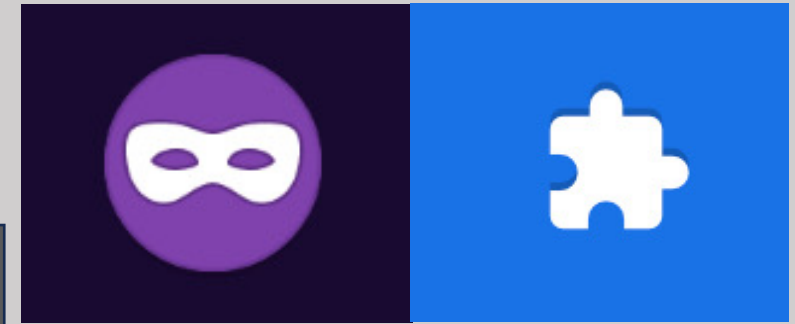
What are some of the “*conventional*” things that I have done as a scholar that relate to the public interest and digital regulation?



Co-designed a system to demonstrate Privacy and surveillance risks with biometric and FRT based ID systems



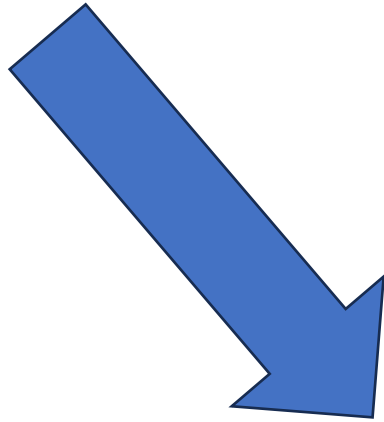
Developed a series of OER privacy badges with Mozilla



Researched 26 privacy extension titles ethnographically

What are some of the “*unconventional*” things that I have done as a scholar that relate to the public interest and digital regulation?

Regulation is multi-faceted in society



PARLIAMENT OF CANADA

SENATE HOUSE OF COMMONS

LEGISinfo Search by number (e.g. C-5, S-214), sp

Overview Bills Legislation at a glance Help

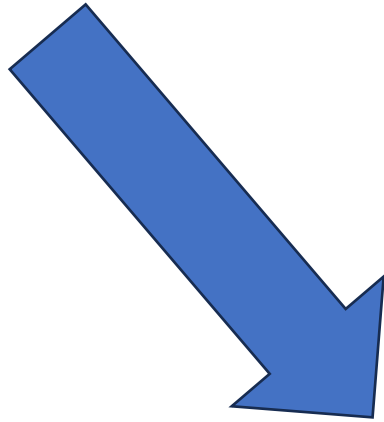
C-27 44th Parliament, 1st session
November 22, 2021, to present

An Act to enact the Consumer Privacy Protection Act, the Personal Information and Data Protection Tribunal Act and the Artificial Intelligence and Data Act and to make consequential and related amendments to other Acts

Short title: Digital Charter Implementation Act, 2022

Should Canada regulate AI? When? How?
Which AI systems? With what oversight and
review mechanisms?

Regulation is multi-faceted in society



Help Center

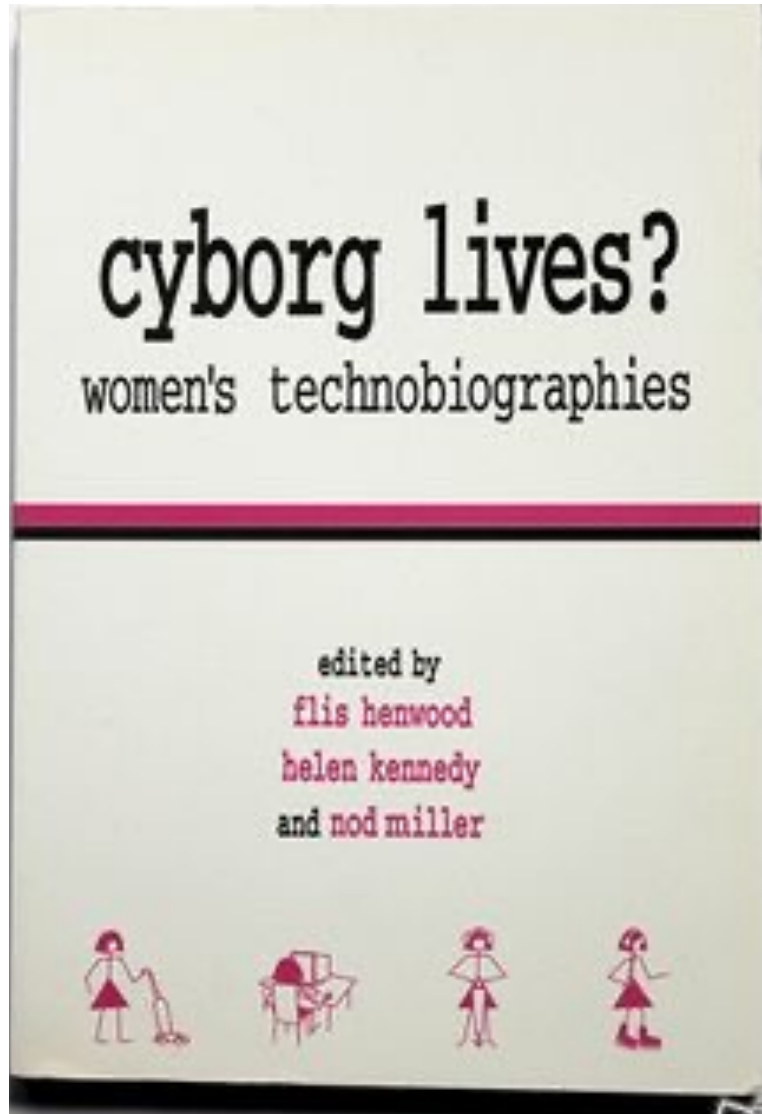


Privacy Settings & Information

Make your Instagram account private



Will you update your privacy settings? Yes?
No? Maybe you should just update your
child's privacy settings?



We each have a story of how we interact with technology in our everyday lives.

Gender intersects with class, race, citizenship and other identity point and locations.

2002 – 2003
Netcorps Intern

2006
Co-op term on
consultation ICTs
with federal
government

2013 - 2015
Mitacs post-doctoral
fellowship with Mozilla;
Hive Toronto digital
literacy network and
privacy badges OER

UNIVERSAL ACCESS

PRIVACY

PARTICIPATION

OPENNESS

2004 - 2006
MA Degree in
Communication;
research on community
access experiences to
government health
portals

2006 - 2013
PhD Degree in
Information; research
on citizen participation
in Ontario policy;
included identification
relevant policy

2015 – present
Faculty member at
Brock University

Interventionist tactics for digital regulation in the public interest:

1. Complaint
2. Information Request
3. Design

How could these tactics shape future work on FRT algorithms?

SARA AHMED



COMPLAINT!

"Complaint! is precisely the text we need at this moment"—ANGELA Y. DAVIS

Filing a complaint can be a intersectionally feminist practice, which helps you to understand how institutions of power operate and to contest situations of inequality



Facebook (2008–2010)

On May 30, 2008, CIPPIC filed a 35–page student–driven **Complaint** under PIPEDA against Facebook, alleging 22 separate violations of the Act by the popular social networking site. The complaint focused upon improving knowledge and control over how user information is being collected, used and disclosed on the site. It additionally set out to establish a set of norms governing the increasing concentrations of personal information seen online in social networking sites such as Facebook. On July 16, 2009, the OPC released **PIPEDA Case Summary #2009-008, CIPPIC v. Facebook**, its comprehensive report of findings on CIPPIC's complaints. In this finding, the Assistant Privacy Commissioner found that the majority of CIPPIC's complaints were well–founded. She additionally provided Facebook with 30 days to agree to comply with the rulings she had made in the finding. On August 25, 2009, the OPC released a **Letter of Resolution** outlining Facebook's willingness to comply with its initial finding. This resolution established a one year timeline for Facebook to bring itself into compliance. On December 9, 2009, Facebook made sweeping changes to its privacy settings, purportedly in an attempt to bring itself in compliance with the the OPC's finding. As part of this transition, Facebook defaulted many of its user's privacy settings so as to better align these with its recommendations. These changes, however, have raised serious privacy concerns and, in CIPPIC's view, failed to meet the standards set out in that finding, as well as the requirements of PIPEDA. On February 20, 2010, CIPPIC provided Facebook with a comprehensive **Statement of Concerns** with respect to the nature of new changes on its site. In this statement, CIPPIC has asked Facebook to indicate its willingness to respond to its concerns within 30 days.

<https://cippic.ca/en/Facebook>



Hamilton

Eye in the sky

Police across Canada are increasingly using drones. In Hamilton, there are privacy 'red flags,' and new documents reveal when, how and why this aerial technology is used

<https://www.cbc.ca/newsinteractives/features/police-drones>

Information Request

The screenshot shows a web browser window with the URL help.instagram.com/181231772500920. The page is the Instagram Help Center, with the language set to English (US). The left sidebar contains a list of help topics, with 'Delete Your Account' highlighted. The main content area displays the article 'Downloading a copy of your data on Instagram', which includes instructions on how to request a data download and a note about the 30-day processing time.


Instagram Help Center

Search help articles... English (US)

- Instagram Features
- Manage Your Account
- Signing Up and Getting Started
- Adjust Your Account Settings
- Notification Settings
- Adding Accounts
- Delete Your Account**
- Verified Badges
- Accessibility
- About Instagram Ads
- Staying Safe

Downloading a copy of your data on Instagram

If you want a copy of everything you've shared on Instagram, you can request a download of your data in a machine readable HTML or JSON format. You'll need your Instagram account password to request this information. Learn more if you've [forgotten your password or can't log in](#).

1. Click  in the bottom left, then click **Your Activity**.
2. Click **Download your information**.
3. Enter the email address where you'd like to receive a link to your data.
4. Click next to **HTML** or **JSON** to select the format you'd like to receive your data in, then click **Next**.
5. Enter your Instagram account password and click **Request download**.
6. You'll soon receive an email titled **Your Instagram Data** with a link to your data. Click **Download data** and follow the instructions to finish downloading your information.

Note: It may take up to 30 days for us to email you a download link. Some data you have deleted may be stored temporarily for safety and security purposes, but will not appear when you access or download your data.

If you can't access your Instagram Account and still want to download a copy of your data, you can [contact us](#).

Exercise your FIPs

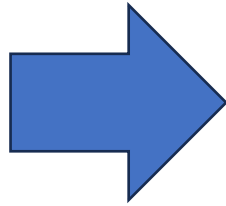
Download Your Data

<https://help.instagram.com/181231772500920>

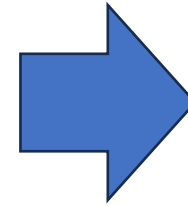


Design

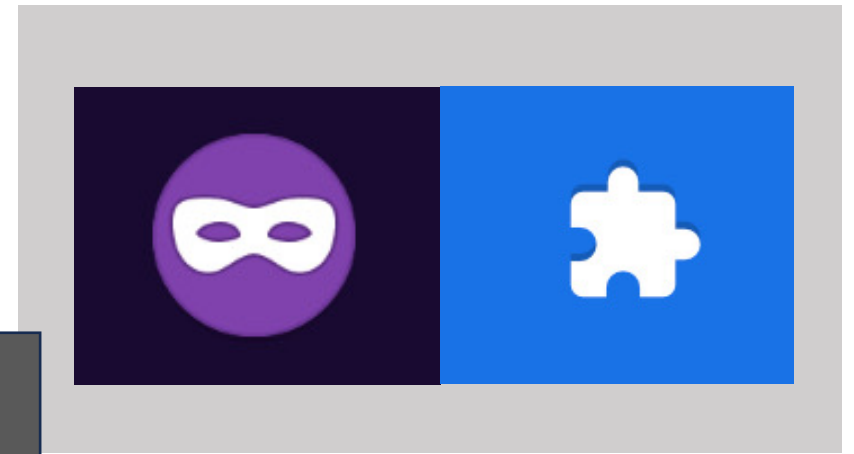
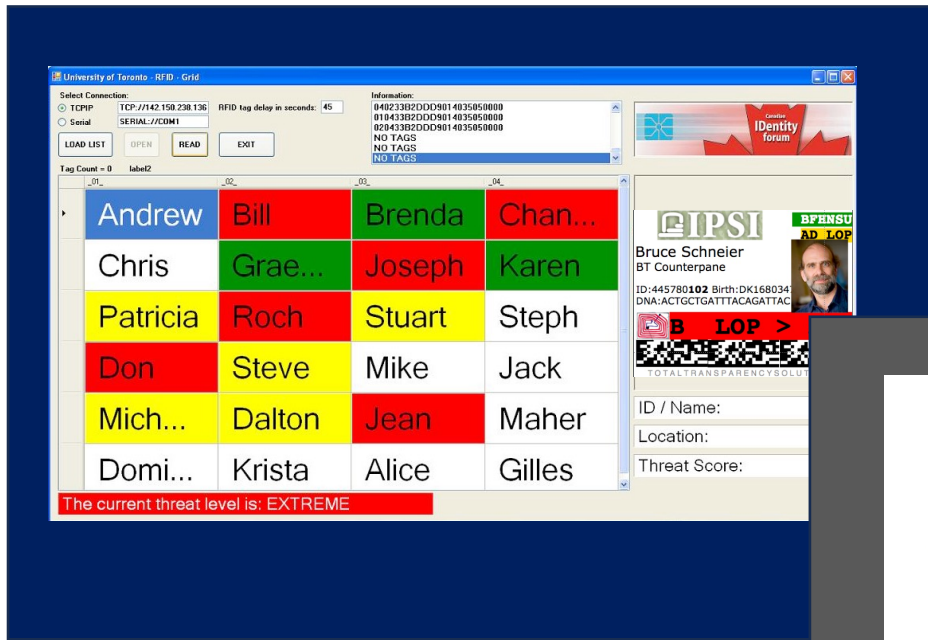
What data
goes in?



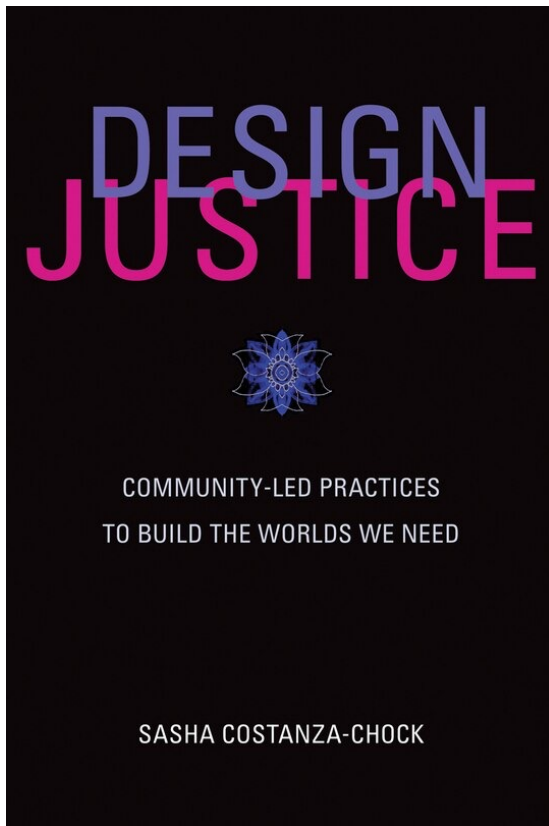
Algorithmic
Processing of
Data



What
experiences
or results
are outputs
from the
system?



Design methods, design prototypes, ethnographic work with design communities, and participatory design are critical for more equitable experiences with emerging technologies, such as FRT systems



Participatory Design



Participatory Design (PD) is an approach to the assessment, design, and development of technological and organizational systems that places a premium on the active involvement of workplace practitioners (usually potential or current users of the system) in design and decision-making processes.

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Image credits

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- Extensions <https://chrome.google.com/webstore/category/extensions?hl=en>
- Consensus submission "Weaving the Web" 2009 - Travis Meinolf, Ele Carpenter, after Paul Grimmer; selection from the Open Source Embroidery exhibit and sourced under Creative Commons from: <http://www.flickr.com/photos/jeremybrooks/4267648329/>
- Data trail timeline badge <https://blog.mozilla.org/foundation-archive/mozilla-science/2015-know-data-data-trail-badge/>
- Bill C-27 <https://www.parl.ca/legisinfo/en/bill/44-1/c-27>
- Instagram Help Privacy <https://help.instagram.com/196883487377501>
- Cyborg Lives <https://www.amazon.com/Cyborg-Lives-Technobiographies-Flis-Henwood/dp/095365852X>
- Complaint Book <https://www.dukeupress.edu/complaint>
- FOI request <https://www.warwicktownship.ca/en/our-government/freedom-of-information.aspx>
- Instagram request your data <https://help.instagram.com/181231772500920>
- CPSR <http://cpsr.org/issues/pd/>
- Critical AI <https://www.dukeupress.edu/critical-ai>
- Design Justice <https://mitpress.mit.edu/9780262043458/design-justice/>

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