

Dear Commissioner:

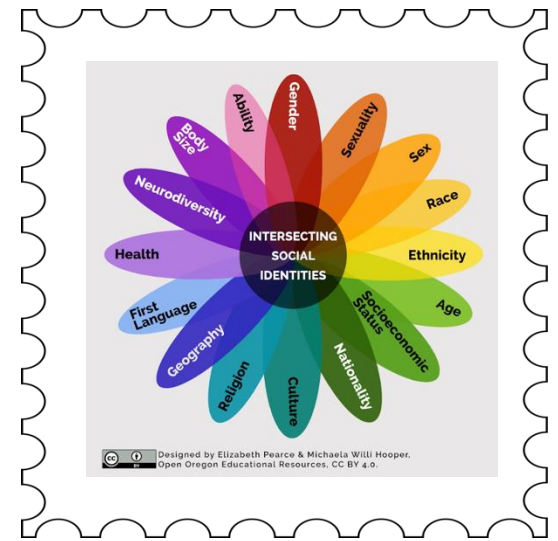
Intersectional explorations of youth privacy complaints

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Fair Information Principles (FIPs)

- FIPs are foundational to privacy law in Canada
 - Examples:
 - Identifying purposes
 - Consent
 - Limiting use, disclosure, and retention

Fair Information Principles (FIPs)

- When data collection, processing or use is *unfair* an individual, including a young person, can make a complaint to a commissioner
- In the absence of AI regulation, privacy regulation is currently one of the main avenues to advocate if unfairness (including discrimination and bias) is experienced





Office of the
Privacy Commissioner
of Canada

Commissariat
à la protection de
la vie privée du Canada

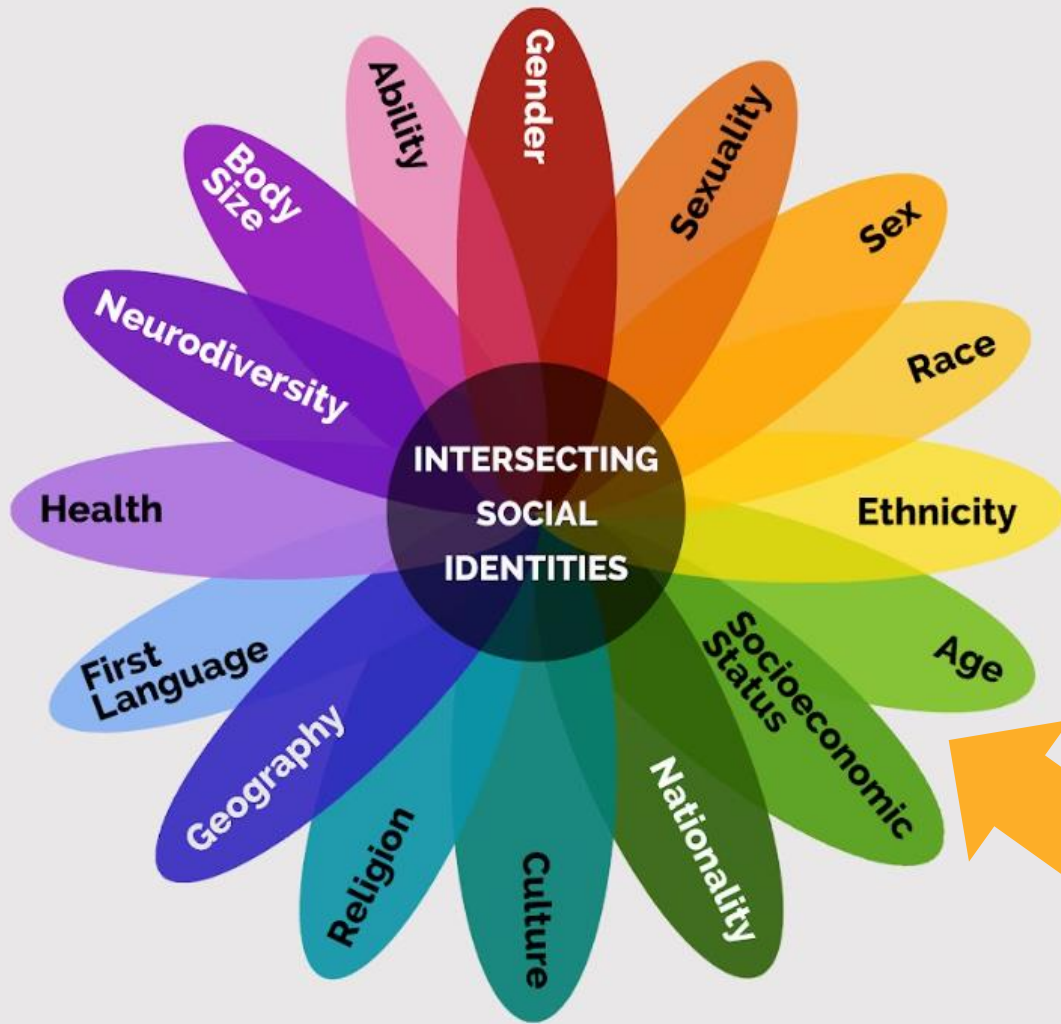


[Home](#) → [Report a concern](#)

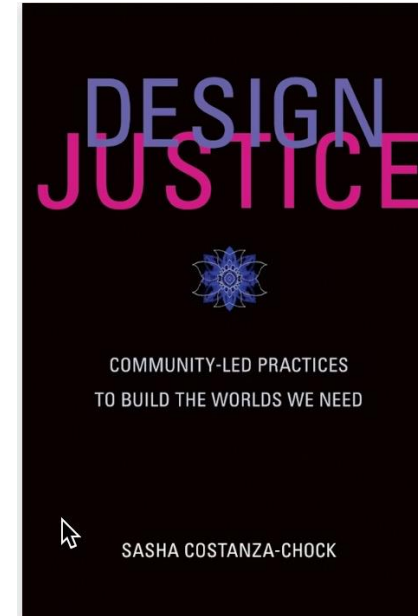
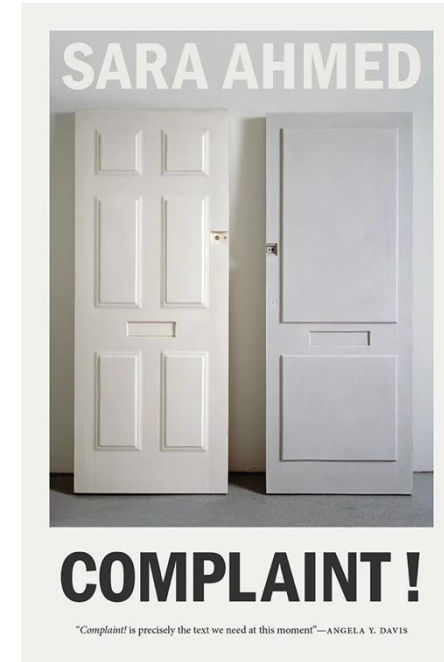
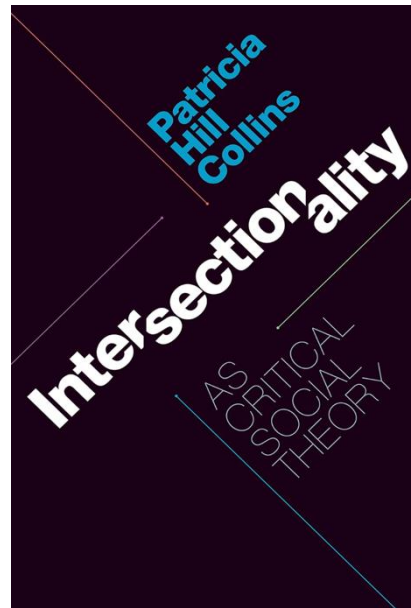
File a formal privacy complaint



You can file a complaint with the Office of the Privacy Commissioner of Canada if you think that a business or federal government institution subject to federal privacy law has violated your privacy. [Learn more about what we do.](#)



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How do youth privacy complaints scaffold upon but also expand understandings of intersectionality?

Two youth privacy complaints



Facebook Complaint from
CIPPIC at the University of
Ottawa (2008)



Online Proctoring Complaint
from a McMaster Student (2021)

Two youth privacy complaints

Provincial complaint under Ontario's FIPPA



Federal complaint under Canada's PIPEDA



Facebook Complaint from CIPPIC at the University of Ottawa (2008)

Online Proctoring Complaint from a McMaster Student (2021)

Facebook Complaint (2008)



Canadian Internet Policy and Public Interest Clinic
Clinique d'intérêt public et de politique d'internet du Canada

Philippa Lawson
Director
(613) 562-5800 x2556
plawson@uottawa.ca

May 30, 2008

Privacy Commissioner of Canada
112 Kent Street
Ottawa, Ontario
K1A 1H3

Dear Commissioner Stoddart:

- This 36 page complaint addressed to Commissioner Stoddart detailed unnecessary and non-consensual collection and use of personal information by Facebook
- It was submitted by the Director of CIPPIC along with 5 law student interns

Facebook Complaint (2008)

- Text from complaint on lack of account deletion functionality

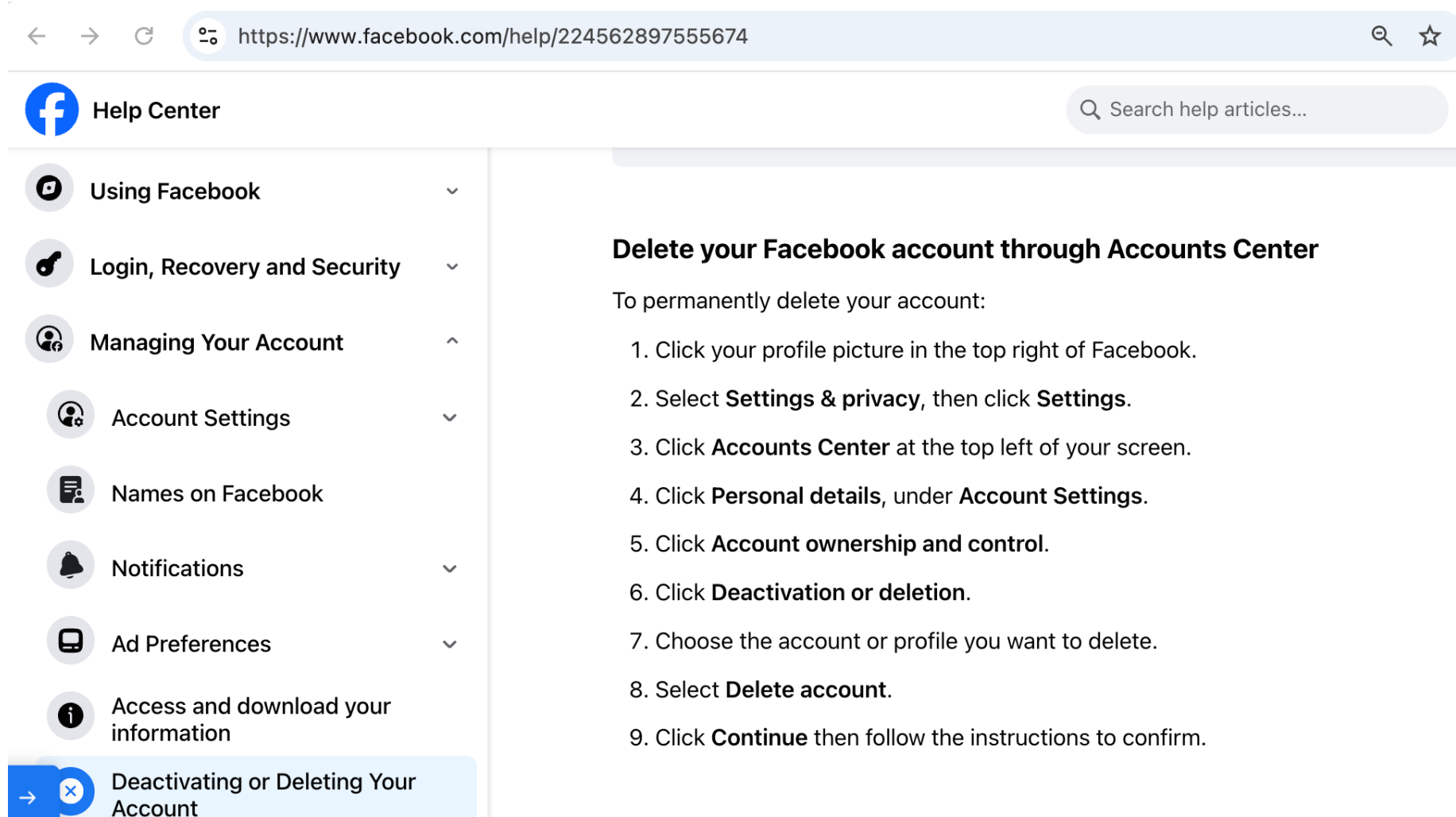
Users are not given an express option to delete the account altogether. Instead, Users must contact Facebook directly and request an account deletion. The option is not readily brought to Users' attention. They must navigate through the Facebook Help page and search under Account Deletion in order to see the following message:

If you want to permanently delete your account, please contact us at privacy@facebook.com from the email address associated with your account.

The only way Users may ensure the deletion of personal information is to manually delete each item posted over the course of their membership. This is an unpractical option, given the high

(Screenshot from p. 26 of CIPPIC 2008 complaint)

Facebook Help Center (2026)



The screenshot shows a web browser window with the URL <https://www.facebook.com/help/224562897555674>. The page header includes the Facebook logo and the text "Help Center", along with a search bar containing the text "Search help articles...".

The left sidebar contains a navigation menu with the following items:

- Using Facebook
- Login, Recovery and Security
- Managing Your Account
- Account Settings
- Names on Facebook
- Notifications
- Ad Preferences
- Access and download your information
- Deactivating or Deleting Your Account (highlighted)

The main content area displays the article title **Delete your Facebook account through Accounts Center**. Below the title, the text reads: "To permanently delete your account:" followed by a numbered list of steps:

1. Click your profile picture in the top right of Facebook.
2. Select **Settings & privacy**, then click **Settings**.
3. Click **Accounts Center** at the top left of your screen.
4. Click **Personal details**, under **Account Settings**.
5. Click **Account ownership and control**.
6. Click **Deactivation or deletion**.
7. Choose the account or profile you want to delete.
8. Select **Delete account**.
9. Click **Continue** then follow the instructions to confirm.

Facebook Complaint (2008)

- Text from complaint on problematic third-party data retention practices

Facebook allows third party developers to retain a User's personal information even after the User deletes the developer's application

Principle 4.5 of PIPEDA states that personal information shall be retained only as long as is necessary to fulfill the purpose. Principle 4.5.3 further states that “personal information that is no longer required to fulfill the identified purposes should be destroyed, erased, or made anonymous”. Yet, Facebook's Terms of Use state that it will not guarantee what personal information that it discloses to third party developers, nor does it offer any assurances that such information is destroyed once a User removes an application from the FP.

(Screenshot from p. 20 of CIPPIC 2008 complaint)

Revealed: 50 million Facebook profiles harvested for Cambridge Analytica in major data breach

Whistleblower describes how firm linked to former Trump adviser Steve Bannon compiled user data to target American voters

- [‘I made Steve Bannon’s psychological warfare tool’: meet the data war whistleblower](#)
- [Mark Zuckerberg breaks silence on Cambridge Analytica](#)



Cambridge Analytica whistleblower: 'We spent \$1m harvesting millions of Facebook profiles' - video

Court File No. 41538

IN THE SUPREME COURT OF CANADA
(ON APPEAL FROM THE FEDERAL COURT OF APPEAL)

BETWEEN:

FACEBOOK, INC.

APPELLANT
(Respondent)

- and -

PRIVACY COMMISSIONER OF CANADA

RESPONDENT
(Appellant)

**MOTION RECORD OF THE SAMUELSON-GLUSHKO
CANADIAN INTERNET POLICY & PUBLIC INTEREST CLINIC**
(Motion for leave to intervene)

Pursuant to Rules 47 and 55 of the Rules of the Supreme Court of Canada

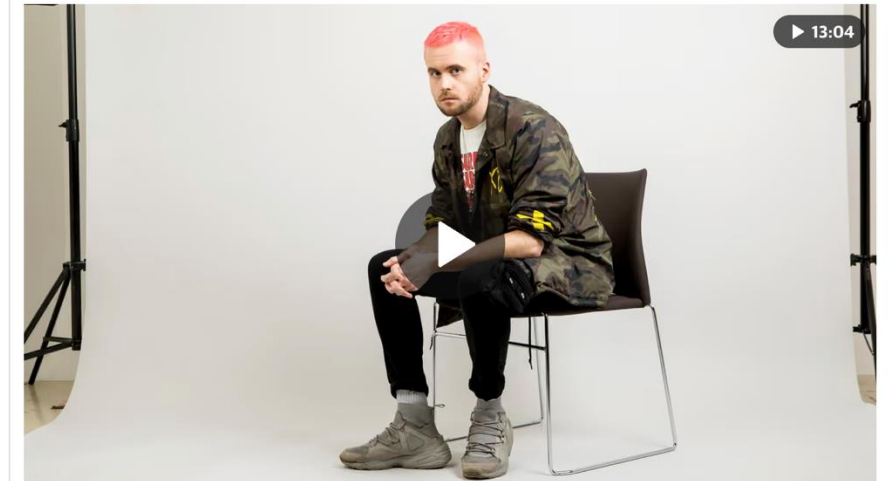
Motion for leave to intervene

The
Guardian Int v

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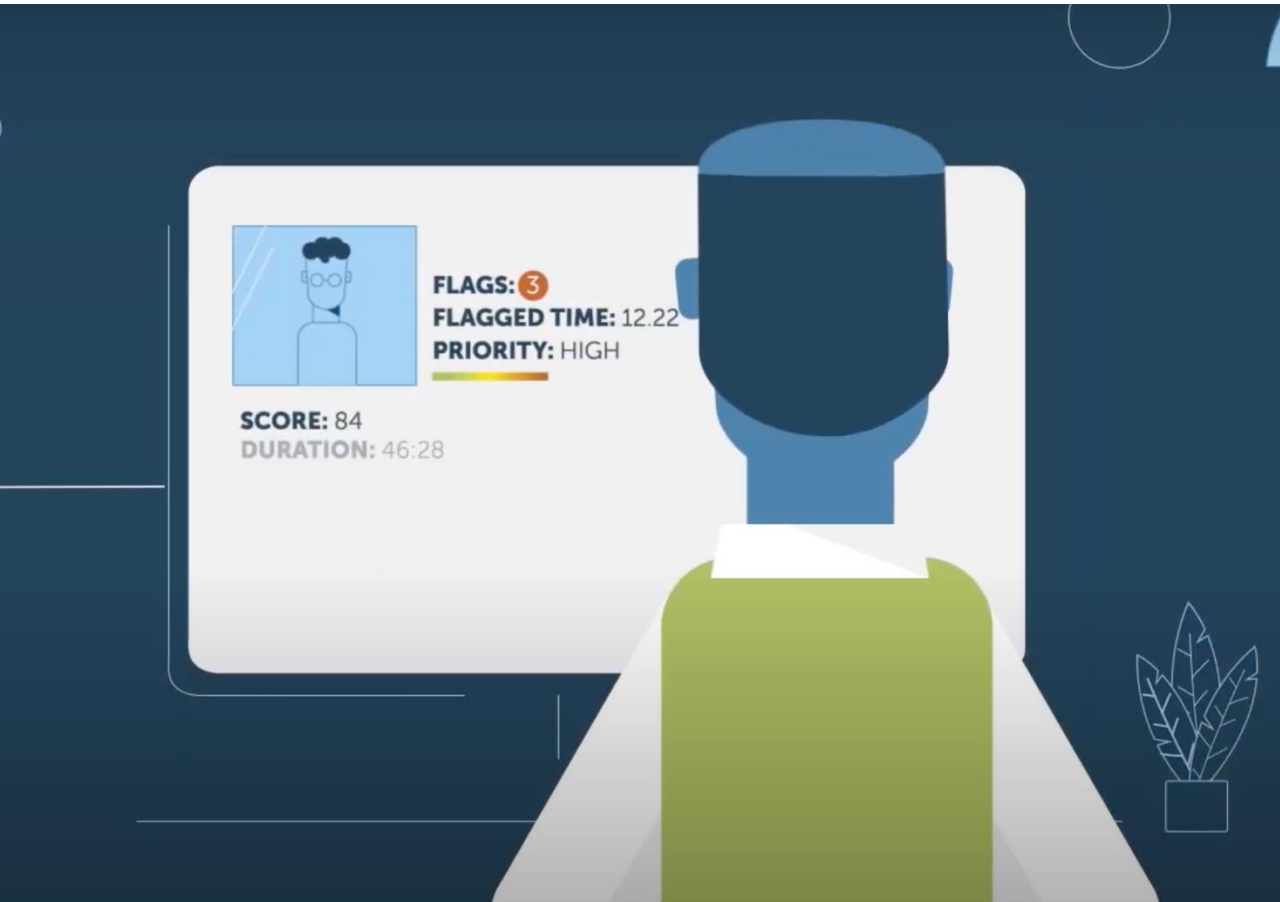


Cambridge Analytica whistleblower: 'We spent \$1m harvesting millions of Facebook profiles' - video

From CIPPIC's motion for leave to intervene (2025)

(ii) CIPPIC has a unique and direct interest, as its 2008 complaint against Facebook gave rise to the very commitments at the heart of this appeal. In its 2019 Report, the Office of the Privacy Commissioner of Canada (OPC) drew a direct link to what it characterizes as Facebook's failure to "meaningfully implement its 2009 commitments to the OPC" that resulted from CIPPIC's complaint; and

Online Proctoring Complaint (2021)



Information and Privacy Commissioner,
Ontario, Canada



Commissaire à l'information et à la protection de la vie privée,
Ontario, Canada

PRIVACY COMPLAINT REPORT

PRIVACY COMPLAINT PI21-00001

McMaster University

February 28, 2024

Online Proctoring Complaint (2021)

- This 34 page report from the IPC *followed* a McMaster student's 2021 complaint that was closed
- It identifies that online proctoring is authorized, but calls upon the university to improve:
 - Notice (consent information)
 - The contractual terms
 - Guardrails for AI

Information and Privacy Commissioner,
Ontario, Canada



Commissaire à l'information et à la protection de la vie privée,
Ontario, Canada

PRIVACY COMPLAINT REPORT

PRIVACY COMPLAINT PI21-00001

McMaster University

February 28, 2024

Online Proctoring Complaint (2021)

- Text from IPC Privacy Complaint Report (2024) to describe the original *student* complaint

[2] The student raised concerns that McMaster was inappropriately collecting student data via this software and was unsure how the university was using, disclosing and disposing of student personal information gathered via this software.

[3] The student did not consent to the IPC sharing their name and a copy of their complaint with the university. As such, the student's complaint file was closed and this Commissioner-initiated file was opened to address the university's use of proctoring software.

Online Proctoring Complaint (2021)

- Recommendation from IPC Privacy Complaint Report (2024) to consolidate notice

[70] ...

I recommend therefore that the university consolidate its notice of collection of personal information via Respondus Monitor in a clear and comprehensive statement, either in a single source document, or with clear cross-references to other related documents, so that students can access this information in a coherent, plain language and accessible way, without having to navigate through a number of other online sources.

(Screenshot from IPC Privacy Complaint Report 2024, p. 15)

Online Proctoring Complaint (2021)

- Recommendation from IPC Privacy Complaint Report (2024) to improve contractual terms

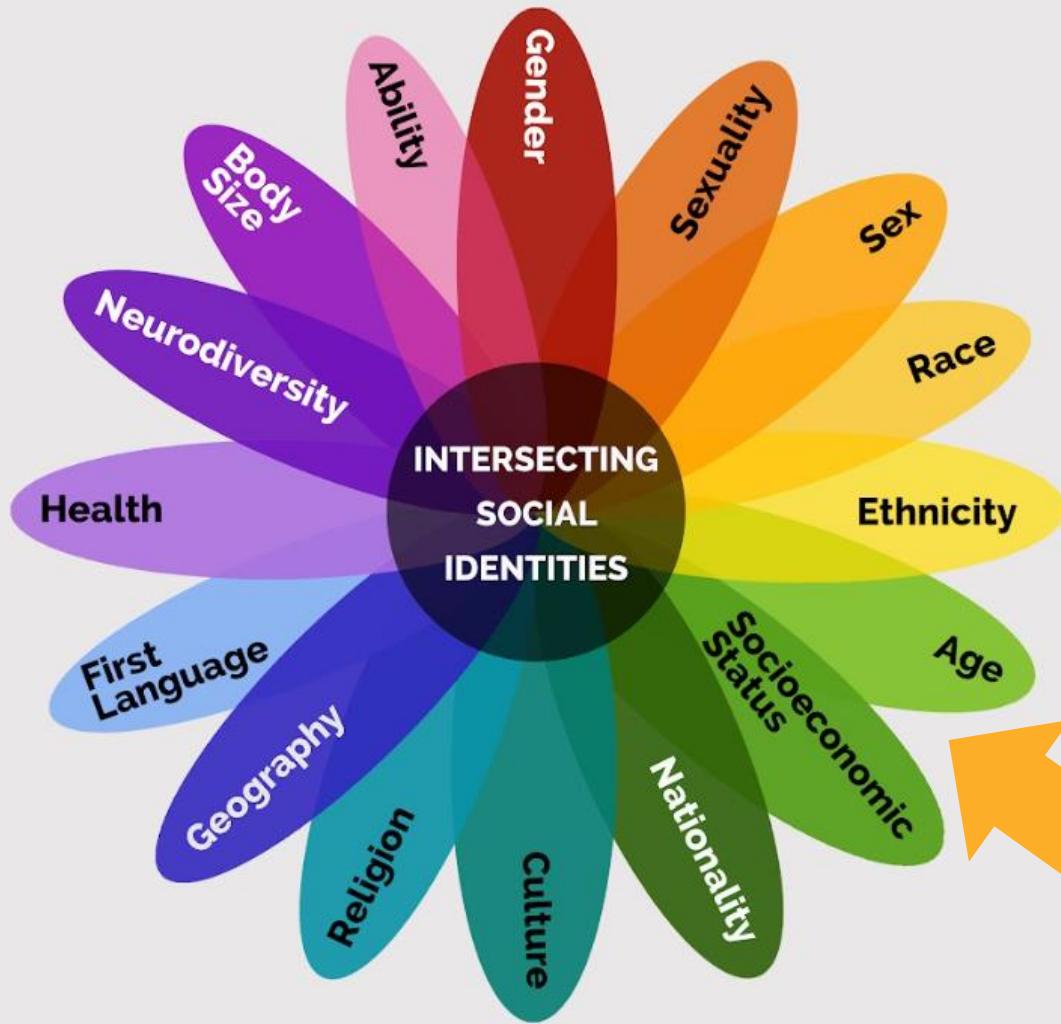
[89] Given this apparent ability, I recommend that McMaster secure the written undertaking from Respondus that it will respect Ontario law by ceasing to use students' personal information for system improvement purposes without the consent of students. If such an undertaking is not promptly provided and acted upon, I recommend that McMaster cease the use of Respondus Monitor until such time as it enters into a new particularized agreement with Respondus containing these restrictions, as well as the other provisions recommended below.

Online Proctoring Complaint (2021)

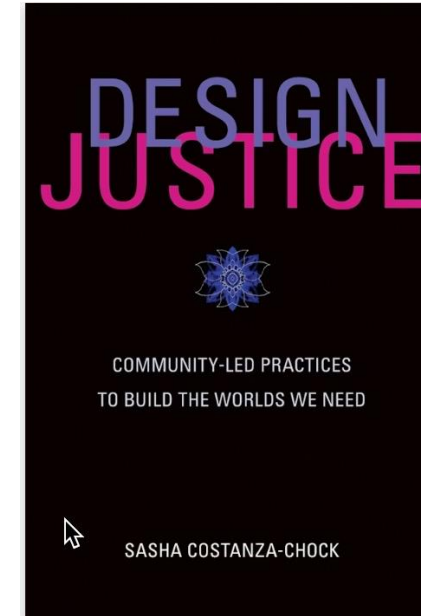
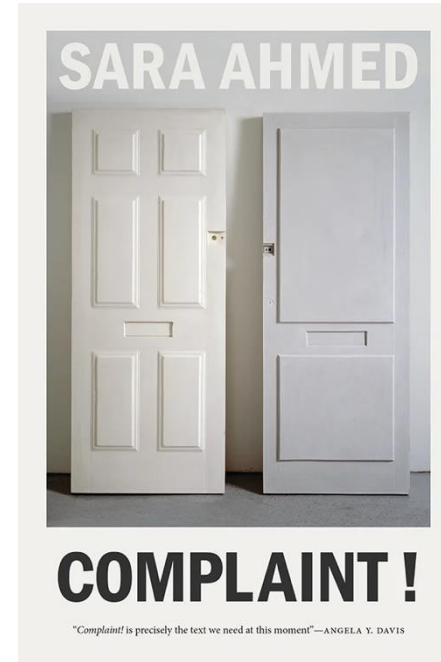
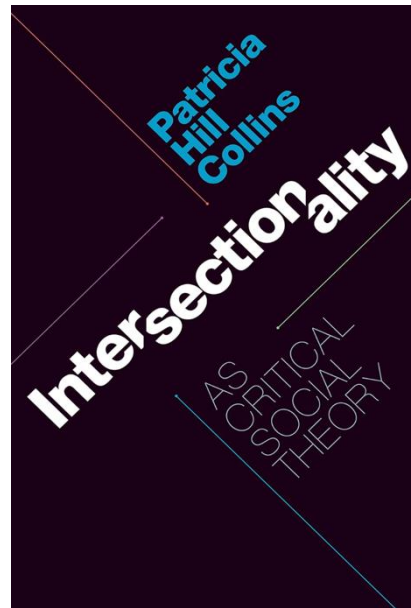
- Recommendation from IPC Privacy Complaint Report (2024) on guardrails and affirming human rights

[134] My analysis and recommendations above pertain to McMaster's current statutory obligations to protect students' personal information under the *Act*. Although there is no current law or binding policy specifically governing the use of artificial intelligence in Ontario's public sector, I recommend that McMaster build in additional guardrails to protect its students from the heightened risks associated with its AI-enabled proctoring software.

[135] Together with my counterparts across Canada³³ I have called for strong guardrails to ensure AI systems, including generative AI, are safe, privacy protective, transparent, accountable, and human rights affirming.



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How do youth privacy complaints scaffold upon but also expand understandings of intersectionality?



Conclusion and implications of exploring youth privacy complaints and intersectionality

- Youth privacy complaints, which are sometimes implicitly intersectional, may assist to disrupt standardized practices that operationalize FIPs under an *individualized* model of privacy that functions best for users who are normative (e.g., adult, white, cis-gender males)
- Youth privacy complainants help to reveal how young people at different identity locations experience the power of institutions in a multitude of ways (e.g., universities, regulator's offices, platform companies)



Conclusion and implications of exploring youth privacy complaints and intersectionality

- Inspirations for design justice interventions may sometimes emanate from the privacy complaints from youth
- As AI is increasingly developed and deployed, past youth privacy complaints may help to reveal how conceptions of privacy that are informed by intersectionality can contribute towards systems that are human rights affirming

References and resources

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