

IPC Perspectives

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We need to find ways to help youth protect their privacy online: Cavoukian

"There are growing concerns that many young people do not fully understand the privacy risks associated with revealing too much information about themselves online," says Ontario's Information and Privacy Commissioner, Ann Cavoukian. "These risks range from cyberbullying, identity theft and Internet luring, to putting future job prospects at risk."

Commissioner Cavoukian is hosting a special conference – **Youth Privacy Online: Take Control, Make it Your Choice!** – on Thursday, September 4, 2008. The conference, at the Marriott Eaton Centre in downtown Toronto, features speakers from across North America. It brings together professionals from a diverse range of public sector and private sector organizations who have a keen interest in helping children and youth protect their privacy on the Internet.

The forum is aimed at leaders and other professionals from organizations that work with children or youth or on their behalf, parents and everyone else who have a keen interest in helping children and youth protect their privacy online – including those in the education, government, legal, non-profit and IT sectors.

"This will be a forum for discussion, debate and inquiry that will focus on exploring a variety of approaches to safeguarding the privacy of children and youth on the Internet," said the Commissioner.

More information about the conference, including registration details, is available at: <http://www.verney.ca/ypo2008/>.

Upcoming Presentations

Among the scheduled presentations over the next two months:

September 4: Commissioner Cavoukian delivers the opening address at the **Youth Privacy Online: Take Control, Make It Your Choice!** Conference at the Marriott Eaton Centre.

September 8: Commissioner Cavoukian makes a major presentation in Toronto on **Electronic Health Records and Privacy** to the Health Services I&T Cluster.

September 23: Commissioner Cavoukian is presenting at the Institute of Electrical and Electronics Engineers' 6th Biometrics Symposium, in Tampa, Florida. The title of her presentation is: **Biometric Encryption: A Transformative Technology that Delivers Strong Security Authentication and Security**.

September 24: The next day, Commissioner Cavoukian addresses the 2008 Canadian Risk & Insurance Management Society Conference in Toronto, outlining how building in privacy is good for businesses. Her presentation is entitled, **Minimize Risk – Maximize Protection and Gain A Competitive Advantage: Privacy is Good for Business**.

October 2: The Commissioner is sponsoring a major luncheon – **Breaking Down Barriers to Freedom of Information** – to help mark **Right to Know Week** in Canada. A panel will look at impediments to freedom of information and ways to address these. Panellists at this Toronto luncheon, co-sponsored by the Institute of Public Administration in Canada, include the Commissioner; John Hinds, the new president of the Canadian Newspaper Association and the Canadian Community Newspaper Association; David McKie, a reporter with the investigative unit of CBC News; and Mark Vale, Ontario's Chief Information and Privacy Officer. Brian Beamish, the IPC's Assistant Commissioner for Access, is the moderator for the panel discussion. *For registration information, please send an email to info@ipc.on.ca and the information – including a registration form – will be e-mailed to you.*

October 7: **Sharing New Perspectives: Open Government and Privacy-Enabled Service Delivery in the 21st Century** is the title of Commissioner Cavoukian's keynote address that will open the annual **Access and Privacy Workshop** in Toronto hosted by the Ontario Ministry of Government Services.

October 13: Commissioner Cavoukian addresses the **International Symposium on Privacy in the Age of Social Network Services**, in Strasbourg, France, on building privacy into online social networks. The title of her presentation is: **Social Networking and Privacy: You Must Architect Both Into the Service You Provide**.

October 14: The next day, also in Strasbourg, Commissioner Cavoukian makes a special presentation – entitled **Radical 'Privacy' Pragmatism: The Future of Privacy** – to The Berlin Group.

October 15 and 16:

A small team from the IPC, led by Assistant Commissioner Brian Beamish, will be in London, Ontario in mid-October for a series of presentations as part of the **London and Area Educational Initiative**, part of the IPC's **Reaching Out to Ontario** program. The team will lead several seminars, make presentations to various groups and set up an information table to hand out IPC publications and answer questions from the public. The schedule will soon be finalized. For more information, just send an e-mail to info@ipc.on.ca.

Recent IPC Publications

The IPC has issued (in order of publication) the following publications and videos since the last edition of *IPC Perspectives*:

- **20/20 Access & Privacy Excellence – 20 Years in the Making**. October 2007
- **Reference Check: Is Your Boss Watching? Privacy and Your Facebook Profile**. December 2007
- **RFID and Privacy: Guidance for Health-Care Providers**. January 2008
- **Privacy and Video Surveillance in Mass Transit Systems: A Special Investigation Report (MC07-68)**. March 3, 2008
- **Commissioner Ann Cavoukian's 2007 Annual Report**. May 21, 2008
- **Privacy in the Clouds: Privacy and Digital Identity – Implications for the Internet**. May 28, 2008
- **Transformative Technologies Deliver Both Security and Privacy: Think Positive-Sum not Zero-Sum**. July 2008
- **Fingerprint Biometric Systems: Ask the Right Questions Before You Deploy**. July 24, 2008
- **Your Rights under Ontario's Freedom of Information Laws** (Introductory outline). July 24, 2008
- **Be a Player: Take Control of Your Privacy on Facebook** (Video)
- Coming soon: **Viacom vs. Google: Placing the Privacy of Users at Risk** (Video)

These publications and many more, as well as videos, are available on the IPC's website at www.ipc.on.ca.

Recent significant IPC orders include:

PO-2657 and PO-2664 – Ontario Lottery and Gaming Corporation

Assistant Commissioner Beamish ordered the Ontario Lottery and Gaming Corporation to disclose records of its investigations into allegations of wrongdoing by insider lottery winners. With the exception of certain information respecting their ethnic origin, the OLCG's decision to deny access to portions of the records containing the personal information of winners was overturned. The Assistant Commissioner balanced the privacy interests of the insider winners against the need for public scrutiny of the OLCG's lottery operations and concluded that the records ought to be disclosed. In addition, the application of the exemptions in sections 14(1) and 18(1) was not upheld.

PO-2641 – McMaster University

Assistant Commissioner Brian Beamish ordered McMaster to disclose the complete employment contract of its president. He found that the salary portions of the contract were subject to the exception to the rule against the disclosure of personal information in section 21(1)(d) and that the benefits portion of the contract was subject to the limitation in section 21(4)(a). The application of the exemption in section 22(a) was also not upheld in the order. The university brought an application for judicial review, which it subsequently withdrew. The contract was then disclosed.

PO-2693 and PO-2694 – McMaster University and the University of Western Ontario

In these two orders, Senior Adjudicator John Higgins addressed the application of the new provision in section 65(8.1) excluding "records respecting or associated with research" by staff or associates of an educational institution from the scope of the *Act*. In Order PO-2693, Senior Adjudicator Higgins upheld the exclusion of records relating to medical research conducted by McMaster. In Order PO-2694, he did not uphold UWO's decision to exclude records relating to the construction of an avian wind tunnel intended to be used for research, finding that they were not "respecting or associated with" actual or proposed research. Order PO-2694 is now the subject of an application for judicial review.

PO-2703 – Workplace Safety and Insurance Board

Senior Adjudicator Higgins also addressed for the first time the application of the new provision in section 65(5.2), which excludes records "relating to a prosecution if all proceedings in respect of the prosecution have not been completed" from the scope of the *Act*. He found that the section applied to prosecution materials held by the WSIB in order to prosecute several ongoing cases. He ordered the WSIB to conduct additional searches of the WSIB's other record-holdings to locate further records that were responsive to the request but not part of the prosecution materials, and to make an access decision concerning any additional records located

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