

# Online Reputation, Privacy and Young People: Lessons from Canadian Research

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## Introduction

We have prepared this report in response to the January 2016 Consultation and Call for Essays: Online Reputation issued by the Office of the Privacy Commissioner of Canada (OPC). We have read and understand the consultation procedures. The report is based primarily on Canadian research with young people: The eGirls Project<sup>1</sup> and MediaSmarts' Young Canadians in a Wired World (YCWW).<sup>2</sup> The report focuses in particular on policy solutions to mitigate online reputational risk, especially in the context of vulnerable groups.

The key takeaway from The eGirls Project and YCWW is that young people are concerned about reputational harm, and for girls and young women in particular permanent reputational harm is *the* danger associated with networked media. Young people have developed a whole set of strategies and norms to mitigate this danger, but corporate practices and online architectures make it incredibly difficult for them to implement those strategies.

## What policymakers should *know*: youth perspectives from The eGirls Project and YCWW

Although young people actively seek out forms of online publicity, they are also particularly aware of how that publicity complicates their self-presentations. Because of this, they rely on a number of strategies to protect their online reputations, such as carefully monitoring how they appear in photos posted by others and asking friends to intervene if someone posts negative comments about them. However, the commercial nature of networked media makes it difficult for young people to gain the control they want over their reputations, for two reasons.

First, the technological parameters of the platforms they use incent disclosure and, over time, tend to change in ways that make it more difficult for young people to control the flow of their information. For example, automatic integration of content across platforms may make sites more profitable, but it also limits young people's ability to maintain boundaries between their various audiences. And when information crosses these boundaries, the risk of reputational harm increases exponentially. Accordingly, many young people reject the current regulatory model that equates online disclosure with consent: for e.g., 83 percent of the 5,500 youth surveyed by YCWW in 2013 told us that the companies that own the social

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media platforms they use should not be allowed to see the information they post there. The percentage rose to 95 with respect to marketers.

Second, the commercial engine that drives these platforms is based on an informational feedback loop: the corporation collects young people's personal and non-personal information, uses it to make them more amenable to commercial messages, monitors their responses and readjusts their messaging. Targeted ads online are accordingly more invasive because they are based on detailed profiles of a young person's likes, dislikes, insecurities and desires. Moreover, the advertising and commercial content that is increasingly embedded in these targeted ads provides a very limited range of material from which to construct an identity, because it relies on well-recognized stereotypes that can quickly convey a commercial message. However, the power of these stereotypes — which are designed to play upon a young person's insecurities *as an identifiable individual* — is magnified when every photo a young person posts is compared to the "ideal" images of beauty and/or masculinity and a young person's ability to emulate the ideal is quantified by the number of "likes" it attracts. The commercialization of networked media accordingly sets young people up for conflict, as the ability or failure to reproduce stereotypical performances are typically seen as the marks of success or failure. Moreover, inequality plays a key role as boys and girls are targeted differently, and negative outcomes for members of visible minorities are often more severe.

As a result, networked media create a "perfect storm" in which architectures incent disclosure of information by young people that is in turn used in commercial advertising and other marketing material premised on narrow stereotypes. Young people reproduce these stereotypes in order to attract "likes", but their success or their failure opens them up to conflict with others who monitor and judge their self-representations. Simple consent mechanisms are not enough to protect young people's privacy in this environment, because networked technologies are now embedded in their social lives, their schools and their paid work. In other words, they have no choice but to accept the terms of use even though they do not agree with them.

### **What policymakers should *do*: approaches informed by youth perspectives from The eGirls Project and YCWW**

*Look beyond surveillance and monitoring of youth.* For young people, surveillance is a problem rather than a solution. The eGirls Project participants advised that it is precisely because their online interactions and self-representations are so widely monitored and scrutinized that they are susceptible to harsh judgment and conflict. Young people need privacy and regulators should protect it in ways that are meaningful to them.

*Pay attention to environmental issues, rather than focusing on fixing youth.* The eGirls Project participants felt that policymakers should, in particular, give girls a break and pay more attention to corporate practices and policies that compromised their ability to negotiate privacy in networked spaces.

*Recognize that being in networked spaces is not optional for young people.* The eGirls Project and YCWW participants understood being involved in networked spaces to be an essential component of all aspects of their lives. As such, even if informed about what corporations

were doing with their data young people have no real option but to remain in networked spaces. For that reason, approaches focused solely on requiring further disclosure of corporate practices are unlikely to effect any real change. At a minimum, there should be an easy way to opt out of information collection and platforms should be required to include at least some options for communication that will not be monitored.

*Regulate platform providers to improve privacy.* The eGirls Project and YCWW participants suggested that platform providers should make it easier to get harassing content removed and should not be permitted to keep young people's data in perpetuity. Moreover, they felt they should have control over the uses that could be made of online images of them.

*Provide more support for targets of online harassment.* The eGirls Project participants felt there was too little focus on providing support and encouragement for targets of online abuse. Policymakers should make sure that schools have adequate funding to meaningfully address these needs.

*Address underlying problems not just symptoms.* The eGirls Project participants understood girls and young women and members of the LGBTQ community to be particularly vulnerable to disabling attacks on their reputations.<sup>3</sup> As a result, some felt it would be particularly important to address discrimination and prejudice through educational measures to combat homophobia, misogyny and other forms of oppression. Policymakers need to think more carefully about privacy for members of equality-seeking communities.

*Look beyond social media to the impact of educational software in schools.* The widespread infiltration of educational software in schools introduces monitoring and surveillance of students' social and intellectual processes, effectively creating a "cradle-to-grave" audience for services like Google, while normalizing surveillance and commodifying education<sup>4</sup>. Policymakers need to prohibit or strictly regulate the flow of the information captured by educational software especially because it can be used to categorize young people in discriminatory ways.

*Use existing powers to limit corporate collection, aggregation and monitoring of young people's data.* The OPC, for example, could use s. 5(3) of PIPEDA<sup>5</sup> to limit such practices on the basis that they are not appropriate in the circumstances. One way of doing this would be to require corporations to offer young people the right to opt out of use of their personal information for behavioural targeting. Taking such an approach would assist in breaking the corporate commercial cycle of using young people's data as the basis for profiles that are then used to embed advertising in their social interactions in networked spaces.

## **Conclusion**

Young people are a vulnerable group whose online reputations can be affected in particular ways and with long-lasting impact on their lives and life chances. Young people affected by intersecting axes of oppression such as gender, race and gender and sexual identity, may be particularly vulnerable. Development of policy that meaningfully addresses these vulnerabilities will require widespread consultation with diverse groups of young people.

## Notes

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<sup>1</sup> In January and February of 2013 researchers with The eGirls Project held a series of interviews and focus groups with girls and young women between the ages of 15 and 22. All participants used interactive online media (such as social networking, blogging and/or user generated video sites) as a regular part of their social lives. Half of our sample resided in an urban Ontario setting and half resided in a rural Ontario setting. We interviewed six girls aged 15-17 and six young women aged 18-22, for 60-90 minutes each. An additional 22 participated in four focus group discussions, as follows: (1) seven girls aged 15-17 living in the urban setting; (2) five girls aged 15-17 living in the rural setting; (3) six young women aged 18-22 living in the urban setting and (4) four young women aged 18-22 living in the rural setting. Focus group discussions were approximately 90 minutes in length. A professional research house recruited our participants on the basis of sex, age (either 15-17 or 18-22) and location of residence (urban or rural). While participants were not recruited on the basis of self-identification with regard to other aspects of their identities, such as race, ethnicity, gender identity or sexual orientation, our participant group included members of racialized, linguistic, and various religious groups. In the interviews and the focus groups, we explored, among other things, the types of visual and textual representations the participants used online to express their identity as young women, and the benefits and pitfalls they experience on social media. We also asked for their views on the issues and policy responses focused upon by policymakers and explored their understandings of networked privacy and equality. With participant permission, the interviews and focus groups were audiotaped and transcribed by our research assistants for analysis. The transcripts were then subjected to a thematic qualitative analysis. All identifying information was removed from the transcripts, and pseudonyms are used below to identify participants: for a full report see *eGirls eCitizens*, Jane Bailey and Valerie Steeves (eds) online: <https://press.uottawa.ca/open-access/egirls-ecitizens.html>.

<sup>2</sup> MediaSmart's Young Canadians in a Wired World project began in 2000-2001 when we interviewed parents and children, and surveyed approximately 5,500 Canadian students aged 10 to 17, to examine children's use and perceptions of the Internet. In 2004-2005, we conducted a similar study, broadening the technology to other forms of networked communications, including cell phones and gaming platforms. In 2012-2013, we again returned to the field, but added a series of interviews with teachers to get a better understanding of the impact of the full range of networked technologies in the classroom. This report draws on the most recent data from 2012-2013, which includes the results of interviews with 10 key informant teachers, 12 qualitative group sessions (four each in Calgary, Toronto and Ottawa) with a total of 66 young people aged 11-17 and 21 parents of children and youth aged 11-17, and a quantitative survey of 5,436 children and youth aged 10-17 from across the country. For a full report of each phase of YCWW, see <http://mediasmarts.ca/research-policy>.

<sup>3</sup> Other research substantiates this perspective: Bailey, J. "'Sexualized online bullying' through an equality lens: Missed opportunity in *AB v. Bragg?*" (2013) 59 McGill LJ 709: 728, 730.

<sup>4</sup> Irwin, Jessy. "Grooming students for a lifetime of surveillance". *Model View Culture*. (7 October 2014), online: <https://modelviewculture.com/pieces/grooming-students-for-a-lifetime-of-surveillance>.

<sup>5</sup> *Personal Information and Protection of Electronic Documents Act*, SC 2000, c. 5, s. 5(3) provides: "An organization may collect, use or disclose personal information only for purposes that a reasonable person would consider are appropriate in the circumstances."