BC FREEDOM OF INFORMATION AND PRIVACY +
OFFICE OF THE PRIVACY COMMISSIONER OF CANADA +
VANCOUVER DESIGN NERDS SOCIETY

Data Privacy Design Jam

SUMMARY REPORT

FIPA

Office of the
Privacy Commissioner
of Canada

VANCOUVER
DESIGN
NERDS

INTRODUCTION

"...consent remains central to personal autonomy and continues to play a prominent role in privacy protection."

—D. Therrien, Privacy Commissioner of Canada

In the fall of 2019, BC FIPA received funding from the Office of the Privacy Commissioner to host the two day gathering that would bring together people from academia, civil society, government, and industry to reimagine new models for consent in order to mitigate the negative impacts that 'smart' technologies have on our privacy.

BC FIPA approached the Vancouver Design Nerds to help facilitate a two-day design jam on the topic of data privacy, meaningful consent and connected devices, to be held in Ottawa in March 2020.

VANCOUVER DESIGN NERDS

FIPA

VANCOUVER DESIGN NERDS SOCIETY

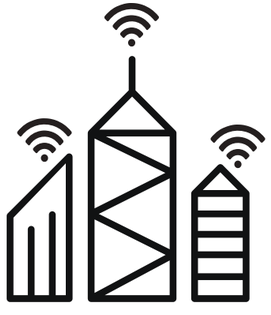
The Vancouver Design Nerds Society is an enterprising non profit society dedicated to facilitating creative collaboration. They could also be described as an incubator for new ideas, projects and organizations. The Nerds have been facilitating Design Jams for well over a decade, guided by the 'double diamond' design process and drawing from a range of design research methods such as speculative and critical design, codesign, placemaking, and civic engagement. The Nerds are experts in leveraging the diversity, creativity and belief in change to generate/co-create surprisingly viable solutions to the problems we face together.

vancouver.designnerds.org

BC FREEDOM OF INFORMATION AND PRIVACY ASSOCATION

The BC Freedom of Information and Privacy Association (FIPA) is a non-partisan, non-profit society that was established in 1991 to promote and defend freedom of information and privacy rights in Canada. Our goal is to empower citizens by increasing their access to information and their control over their own personal information. We serve a wide variety of individuals and organizations through programs of public education, public assistance, research, and law reform. We are one of very few public interest groups in Canada devoted solely to the advancement of freedom of information (FOI) and privacy rights.

fipa.bc.ca



PROJECT CONTEXT

Every day, millions of Canadians enter into complex legal agreements with private companies and governments that collect, analyze, and store their personal information. This happens when we use devices that monitor our physical bodies, when we install devices in our private residences that monitor and control its functions, and when we travel in public spaces that make use of technology to moderate its infrastructure. At each of these levels, we see significant risks facing privacy protection in the digital age.

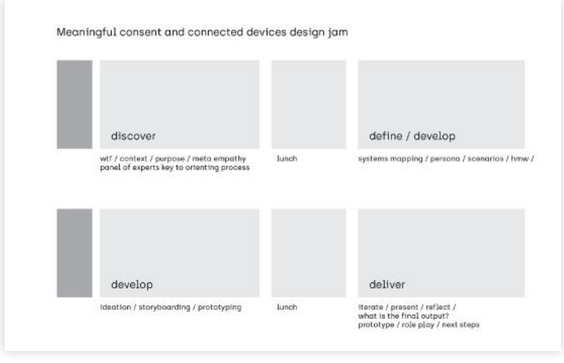
The OPC recognizes that PIPEDA is under considerable strain. Still, consent remains central to personal autonomy and continues to play a prominent role in privacy protection, where it can be meaningfully given with sufficient information.

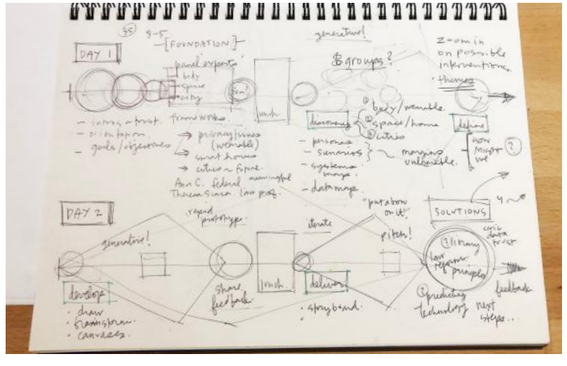
As Canadian society embraces the use of these connected devices, further research is needed into the relationship between technology and meaningful consent, and how we can define the parameters of this evolving relationship.

OPPORTUNITY

A Design Jam will bring together privacy experts and foster a collaborative, interdisciplinary approach that arrives at new understandings and creative solutions to the problem of meaningful consent and connected devices.

It's an experiment, and an opportunity to push our collective imagination in the direction of possibilities and systems change.





PROCESS DESIGN

The two day Jam was designed and developed by the two VDN Project Leads Sarah Hay and Jesi Carson, with ongoing feedback and direction from Bryan Short, Joyce Yan and Jason Woywada of BC FIPA.

The Double Diamond Design Process (UK Design Council) is the foundation for VDN's Jam framework and methodology.

The sketches shown above are part of our iterative design process which enables us to share ideas while they are still rough and malleable and to invite feedback as we move toward a comprehensive plan. Although we have a framework to follow, each Jam is truly unique. It was during these early conversations with BC FIPA that we landed on the idea of an OPEN Jam, meaning participants would have an opportunity to pitch ideas that would act as the jumping off point for teams to form around. We recognized that this route would require a great deal of trust but also that given the expertise of those who had registered to attend, this felt like the right way to go. And it was.

The final Design Jam elements that were produced included a detailed agenda / run of show, custom activity worksheets, presentation slides to guide the process and participant hand out with a visual agenda and guidelines for pitching an idea.

"The so-called 'data revolution' has challenged Canada... to rethink the law and policy frameworks necessary to address the privacy rights of citizens and to preserve the values served by the protection of such rights in an environment in which data collection and use are ubiquitous and expanding."

–T. Scassa, University of Ottawa, Faculty of Law

RESEARCH / CURRENT CLIMATE

BC FIPA provided key resources to brief VDN facilitators in preparation for the Jam. The OPC's website, for example, contains guidelines for meaningful consent, along with infographics and other resources designed to inform the public about data privacy issues.

Jam participant and panelist, Dr. Teresa Scassa, had recently published an article entitled "A Rights Based Approach to Privacy in Canada," which provided an extensive overview of existing policies and charters related to privacy, as well as her analysis and recommendations related to the consideration of human rights in this context.

Ann Cavoukian's "Privacy By Design" framework was also influential in the design of the Jam, and like the OPC offers important and useful guidelines for building privacy into the systems and structures that underpin society in order to protect citizen's rights.

Canadian Government Resources:

- Guidelines for obtaining meaningful consent: Office of the Privacy Commissioner of Canada, Office of the Privacy Commissioner of BC, Office of the Privacy Commissioner of Alberta
- Canada's Digital Charter: Innovation, Science, and Economic Development Canada
- Modernizing Canada's Privacy Act: Department of Justice
- Proposals to modernize the Personal Information Protection and Electronic Documents Act: Innovation, Science, and Economic Development Canada

Centre for International Governance Innovation:

- What is a Data Trust?: Bianca Wylie and Sean McDonald
- Data Ownership: Teresa Scassa
- Should Tech Firms Pay People for Their Data?: Daniel Munro

In the Media:

- One Nation, Tracked: An Investigation into the Smartphone Tracking Industry from Times Opinion: The New York Times
- What does your car know about you? We hacked a Chevy to find out: The Washington Post
- She installed a Ring camera in her children's room for 'peace of mind.' A hacker accessed it and harassed her 8-year-old daughter: The Washington Post

CRITICAL RESPONSES

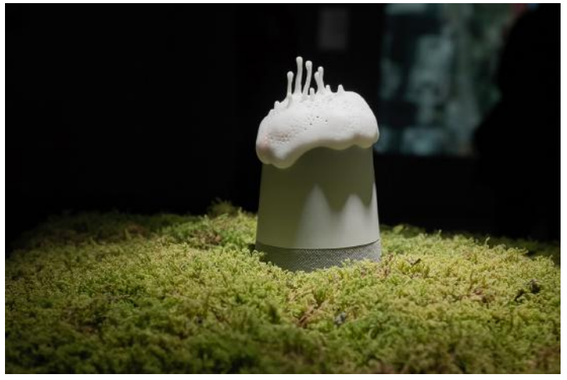
Speculative and critical practices in art and design are responding to the global context outlined above. These types of interventions encourage reflection and dialogue, and have the potential to influence behaviour change. For example, a performance art piece involving walking hundreds of cell phones across a bridge to create a virtual traffic jam on Google Maps may influence cell phone users to look deeper into their settings, or to ask why or how this data is being sourced, and at what potential personal cost or detriment.

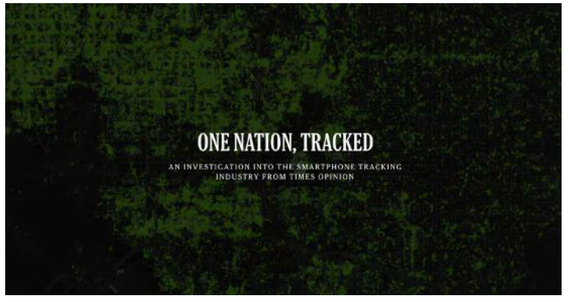
Traditional media has an important role to play in generating awareness of data privacy concerns. The New York Times Privacy Project was launched in response to an information gap in public knowledge about how data about individuals is collected, stored, bought, sold, leaked, and many other potentially harmful outcomes. The project has its own website and newsletter, where articles, opinion pieces, artistic and poetic works and other responses are published, creating an archive of information that can help citizens be more conscious about their data privacy.

The first ever non-fiction issue of McSweeney's called "End of Trust" provides an independent and critical response to the global context and challenges of data privacy. From the editor's introduction helping readers find their iPhone tracking settings, to Gabriella Coleman's account of the Anonymous movement, this collection of essays is an important jumping off point for research and understanding the complex and distressing theme of data privacy.

Examples of Critical Responses:

- End of Trust: McSweeney's Issue 54
- Project Alias: A teachable "parasite" that is designed to give users more control over their smart assistants, by Bjørn Karmann & Tore Knudsen
- One Nation, Tracked: An Investigation into the Smartphone Tracking Industry from Times Opinion: The New York Times
- George Orwell's Birthday Party: Installation series, by FRONT4040
- Activate this 'Bracelet of Silence' and Alexa Can't Eavesdrop: New York Times
- Republic of Privacy: A fictional nation where people can live in absolute privacy, by Soomi Park

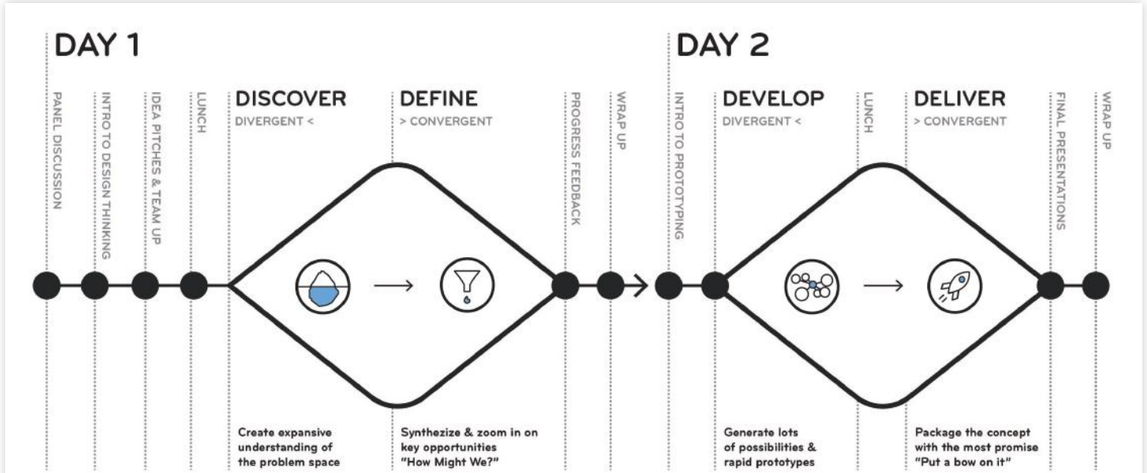




DESIGN JAM
MARCH 5+6, 2020
OTTAWA, ON.

DESIGN JAM PROCESS

VISUAL AGENDA



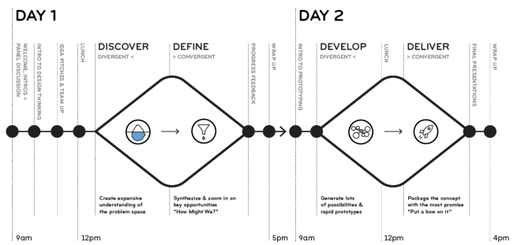
The visual agenda serves as the guide for the two days. It is an adaptation of the double diamond design process / diagram that the Design Nerds use as a framework our design jams. Participants may refer to this anytime to see where we are going next.

PARTICIPANT HANDOUT

Design Jam Participant Agenda

How Might We create new models of generating meaningful consent in order to mitigate the negative impacts that 'smart' technologies have on our privacy?

3 SCALES



March 5+6, 2020

Idea Pitch (90 seconds!)

Should you choose to pitch an idea or topic for the Jam, here are some key points to consider and address to the group:

- Introduce yourself.
- Share your research interests, passion, concerns
- Big Picture – What scale(s)?
- Zoom In – What is the problem/opportunity to explore?
- Say the IDEA! (big, little, half baked, etc.)
- Questions & Assumptions
- Why does this matter?

Your notes...

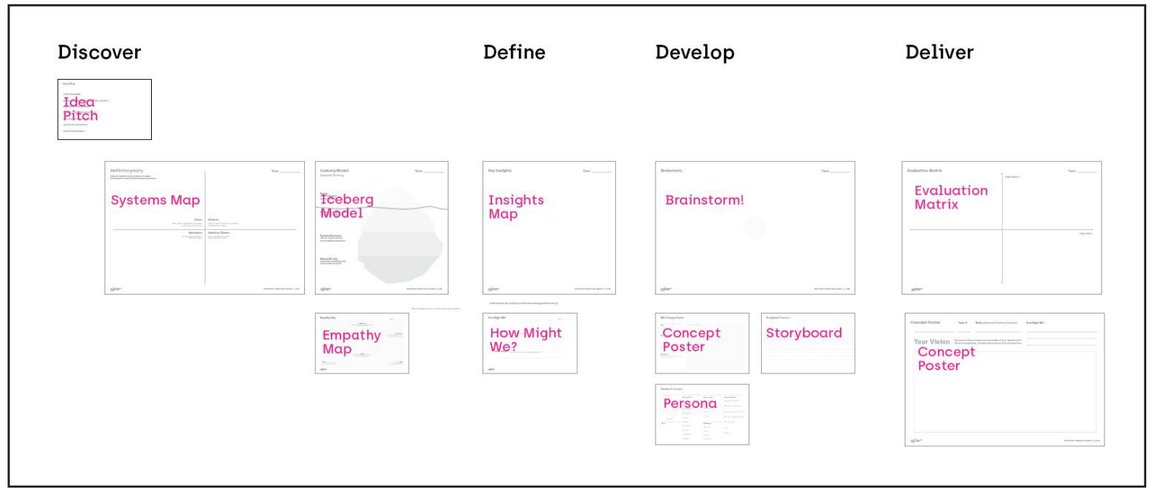
March 5+6, 2020

The participant handout includes the visual agenda, the convening (How Might We) question and guidelines for pitching an idea for the Jam.

INTRO TO DESIGN THINKING & DESIGN JAMS

Before getting into design activities, we introduced key definitions, principles, mindsets and methods of design thinking and human centred design and how we add our own Design Nerd flavour to our Jams, (including our top secret formula to unlocking social innovation).

DESIGN METHODS + WORKSHEETS



Above is a bird's eye view of the custom worksheets and design research activities that were prepared for the Design Jam. These were printed on a plotter at 36x48" and 11x17" as well as regular flip board paper for brainstorming. And we had plenty of post it's on hand!

DAY 01 / MORNING

WELCOME + ORIENTATION

INTRODUCTIONS

PANEL + DISCUSSION

PITCHES

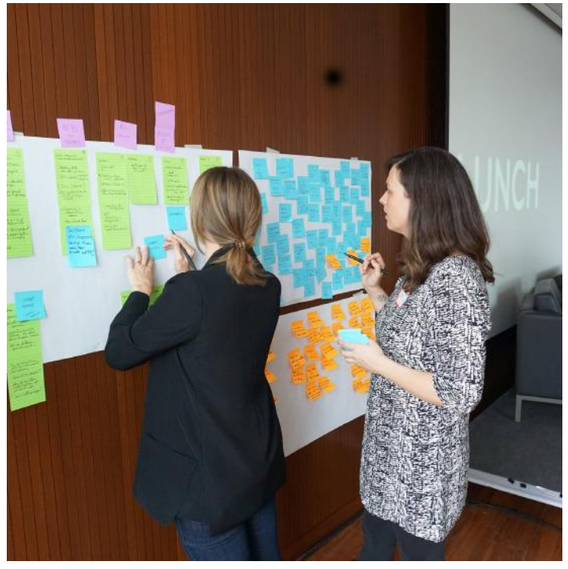
The goal of the morning session was to welcome participants, ensure that everyone in the room was acknowledged, and finally to set the thematic context for the two-day Jam.

In a creative spin on the round of introductions, everyone shared their outlook on data privacy using the metaphor of a weather forecast. While a lot of responses included stormy and unpredictable conditions, there were signs of hope with sunny breaks as well.

Our panelists were Teresa Scassa, Professor and Research Chair in Information Law and Policy, University of Ottawa and Jeannette Van Den Bulk, Deputy Commissioner, Office of the Information and Privacy Commissioner for BC. Both presented a brief introduction from their professional perspectives, followed by a group Q&A.

To kick off the design process, several participants got up to pitch their ideas for potential Jam topics.

The convening question for the Jam was: **How Might We create new models of meaningful consent to mitigate the negative impacts that 'smart' technologies have on our privacy?**



IDEA PITCHES + TEAM FORMATION

After the lunch break, tables were set up and participants voted with their feet, to the pitch / theme they felt most drawn to. There was a smooth consolidation of ideas into the following 4 teams:

1. Privacy Awareness Group (innovative ways to learn about privacy)
2. Privacy & Equality (ie: between citizens and corporations, considering emerging tech, community engagement, and human rights impact assessments including impact on marginalized communities)
3. Overcoming Consent as a Gatekeeper (ie: in health care or workplace context, considering wearable devices that transmit data of patients or workers as a requirement for access to care or employment)
4. Consent in Spaces We Can't Control (ie: in other people's homes who have listening devices)

The remaining pitch ideas are noted here for future design consideration:

5. Song (to bring privacy to the front of mind, as catchy as Baby Shark)
6. Food Product (ie: Jam or other product with label or branding to bring people together and get them thinking about privacy - people tend to come together over food)
7. Tool/Game: Adaptation of REB process into a tool or game for regulators to think through privacy and consent (ie: in the private sector, with consideration of impact on the individual and collective)
8. Autonomous AI Agent to Give Consent
9. Legal Representative to Give Consent
10. Regulation in Smart Cities (ie: to remove burden of cognitive decisions / create an enforceable baseline framework for regulators, considering behavioural economics are not necessarily reflective of how people behave, and people are autonomous so the notion of consent is problematic)
11. "Last Pass" for Data Privacy (review and update all your privacy settings in one handy app)
12. "Do Not Track" for Public Spaces (ie: phone settings, or other method to mitigate surveillance)
13. Consider Politicians (Consideration for the current gaps and exemptions that allow political actors and parties to act without application of the privacy laws of land)

DAY 01 / AFTERNOON

INTRO TO DESIGN THINKING

PHASE 1: DISCOVER

SYSTEMS THINKING

EMPATHY MAPPING

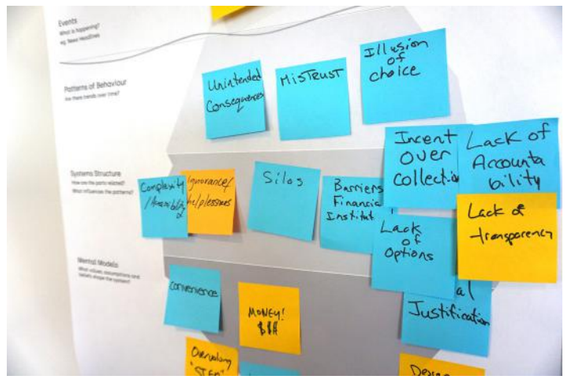
PHASE 2: DEFINE

FRAME DESIGN CHALLENGE

VDN facilitators presented an introduction to Design Thinking, including mindsets, process and methods, leading into the first two phases of the design process: Discover + Define.

The methods used during the Discover phase are exercises in divergent thinking, with the goal of mapping and exploring each team's pitch idea to form a shared understanding. Mapping activities draw on the personal experiences, memories and understandings of team members, in addition to speculative discussion of the voices and perspectives that are not physically represented on each team. These processes essentially help participants to look deeper at a system, and make the invisible visible, using large scale worksheets and post-it notes to track findings.

The Define phase in the second half of the afternoon was spent in a convergent mindset, with each team's goal being to frame the design challenge in a How Might We? question. Synthesis of findings from the Discover phase led to specific understandings and pathways that helped teams zero into more specific challenges related to their broader pitch themes. The HMW? Questions became a jumping off point for design development on day 2.



DAY 02 / MORNING

PHASE 3: DEVELOP

VISUAL THINKING

BRAINSTORM

PERSONA

STORYBOARD

CONCEPT POSTER

FEEDBACK

Before jumping into the Develop phase, teams shared their process and progress from the previous day. After a quick video lesson in graphic recording and visual thinking, teams got right to work, using tools like brainstorming, persona's and storyboarding to expand initial ideas and concepts outward by adding depth and detail.

Before lunch, teams shared their concept development in the form of one or more Mini Concept Postsers, and lively discussions ensued. Questions, feedback and other considerations were shared, to help each team find the best way forward. This proved to be very valuable for different reasons for each team – validation, caution around scope, clarification, and applause, to name a few.

DAY 02 / AFTERNOON

PHASE 4: DELIVER

ITERATE

PROTOTYPE

PRESENT

REFLECT

After lunch teams had one final hour to 'put a bow' on their concepts. In other words, package everything up in a way that could stand on its own, without someone there to describe or present the concept. We encouraged teams to make ideas physical using paper prototyping techniques and materials, and the large scale Vision Poster templates created a framework for final presentations.

Each team presented their final concept to the larger group, using creative delivery methods including skits and paper prototypes. The range of ideas was reflective of the broad scope of the overall topic. From smaller tangible concepts that could be developed and shipped next week to proposals for new comprehensive legislation.

To close the event, we formed a discussion circle. The overall feedback about the experience and format of the design jam was positive. Each person was asked to share a word that reflects how they were feeling. We heard creative, hopeful, inspired, informed, alert, grateful, and many more, all of which were positive and reaffirming.

THE DESIGN CONCEPTS

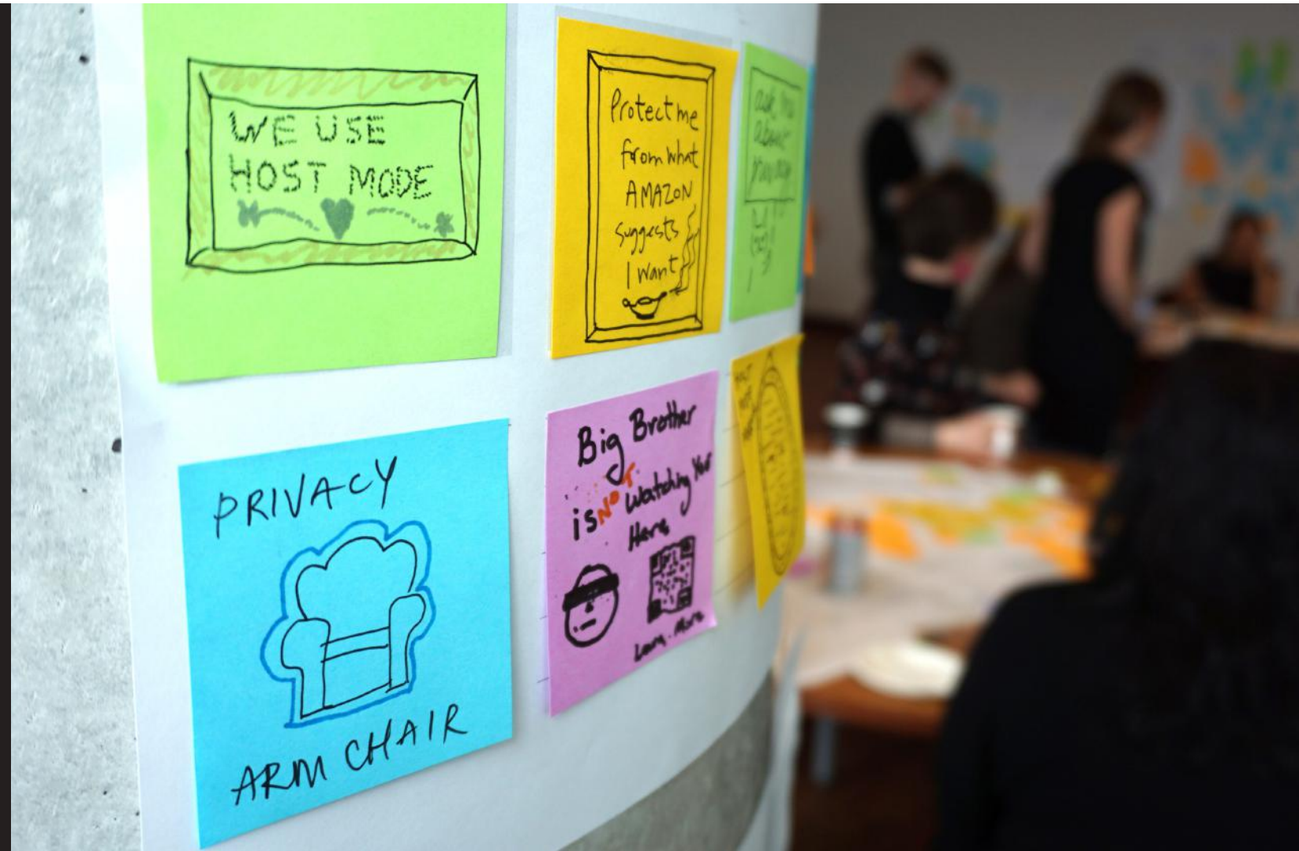
The following pages describe the framing, concept development, key moments, outcomes and recommendations from our four design teams.

Team 01
Cards Against Consent

Team 02
Emergent Technologies Oversight Panel aka E-TOP

Team 03
Data Locker

Team 04
Privacy Etiquette



TEAM 01

CARDS AGAINST CONSENT

A prototype of an educational game, intended for inclusion as a tool or part of a module on Data Privacy and Consent within elementary school curriculum in Canada.

HMW? How Might We design an education experience for grade sevens so that they can experience designing meaningful consent practice for the collection/ use of personal data?

Key Recommendation: Include data privacy and meaningful consent education, leveraging game-based learning tools, in elementary and high school curricula.

Description of Outcome: Game-based learning is an effective way to engage children and youth, and can be leveraged to ensure that they are informed and educated about data privacy and meaningful consent at an early age.

Four potential curriculum modules were identified: the first qualifying the comfort of an individual sharing information with different individuals; the second, a role play on the inappropriate sharing of information; the third, a card game to creatively explore sharing and consent; the fourth, a review of factual information. The third module was further developed into a working prototype during the Develop and Deliver phases of the Jam.

Based on the popular, tongue-in-cheek game "Cards Against Humanity," this team developed a set of consent and privacy-oriented cards. The game is designed to be played in the classroom, followed by guided group discussion encouraging reflection on the funny but serious nature of the game and its implications on each student's personal data privacy.

Key Moment: During the Define phase, this team realized that they had to zoom in on a specific target audience to allow for specific design choices to be made. An awareness campaign could be for literally anyone, and would look and feel totally different depending on the audience! The team's How Might We? Question therefore zeroed in on 7th graders as an ideal audience, because designing for youth would help to simplify issues of consent. This user definition also helped to highlight the fact that issues of data privacy and consent are extremely relevant to youth and children, who are using connected devices more and more, and this topic should be incorporated into early education curricula. The team drew inspiration from the "tea consent" youtube video to keep their tools simple.

Details of the game and how it functions are simple and are readily available online from Cards Against Humanity.

Basic Rules:

- To start the game, each player draws ten white cards.
- The player who most recently pooped begins as the Card Czar and draws a black card. If Hugh Jackman is playing, he goes first, regardless of how recently he pooped.
- The Card Czar reads the question or fill-in-the-blank phrase on the black card out loud. Everyone else answers the question or fills in the blank by passing one white card, face down, to the Card Czar.
- The Card Czar then shuffles all the answers and reads each card combination out loud to the group. The Card Czar should re-read the black card before presenting each answer. Finally, the Card Czar picks the funniest play, and whoever submitted it gets one point.
- After the round, a new player becomes the Card Czar and everyone draws back up to ten white cards.
- In this case red cards were used for the fill-in-the-blank phrase, and white cards for the answers to fill in the file blanks. The game was tested and played successfully with Jam participants at the end of the two-day Jam, and is poised for further development.

Next Steps: A possible way forward for this project would be to develop and test a series of educational games with a diverse group of seventh grade students who could offer feedback and ideas for refining the game concepts. Slightly more refined versions of prototypes could be produced at low cost, for example digital versions of the cards could be designed and printed locally for testing. Instructions for the games would need to be drafted as well. In parallel, contacts could be made at the School Board and engaged to determine what the process would be to develop a proposal and implement a curriculum related to data privacy and meaningful consent in elementary or high schools.

TEAM 02

E-TOP

E-TOP (Emergent Technologies Oversight Panel) is a new policy and regulatory enforcement system designed to hold corporations to account prior to their releasing new technologies and products that impact data privacy of Canadian citizens.

HMW? How Might We recalibrate the power asymmetry between people and corporations for individuals / communities so that they can be empowered to exercise agency within a privacy protective social framework?

Key Recommendation: In the interest of public safety and harm reduction specifically related to data privacy (in addition to other areas, such as environmental impacts), new technologies should not be released to the public before they are reviewed by an expert panel with the regulatory enforcement power to hold producers and corporations to account.

Description of Outcome: Regulatory systems are complex. A system map illustrates E-TOP review processes applied to scenario of the Amazon Ring, a product that collects data about people via a camera attached to the peep-hole of residential doorways. Here we see some of the systems, players and factors that may be involved in the oversight of this particular emerging technology. The diagram shows the flows of data between the technology itself (data collected from citizens via Ring products in the world), Amazon (the private sector company that operates and potentially sells the data), law enforcement (bolstered by various existing charters and acts related to data privacy and rights) and the proposed E-TOP oversight panel.

The proposed E-TOP system requires enabling legislation. Important factors include assessment and review processes, an expert oversight panel, and significant powers of enforcement. Potential consequences must be considered before new technologies are released in order to pre-empt potential public harms. An E-TOP oversight panel would be tasked with ordering and reviewing relevant assessments in order to evaluate the potential risks and impacts of new technologies on society. The E-TOP panel would consist of selected experts, and would include duties to inform and advise the public. A funding model would be required to pay panelists for their time, and terms of engagement would govern the panel.

Key Moment: As the Develop phase kicked off on day 2, this team seemed less inhibited by the extensive regulatory limitations of data privacy law and policy that exist in Canada today. They began to apply a "design fiction" approach, focusing on 'what could be,' rather than 'what is,' and proceeded to map out the details of a new and improved regulatory system that would meet the needs of citizens, rather than privilege the interests of corporations.

The proposed "E-TOP Administrative Tribunal Legislation" below describes some specific processes, types of panel experts and powers proposed to be included in enabling legislation for the E-TOP panel.

Processes:

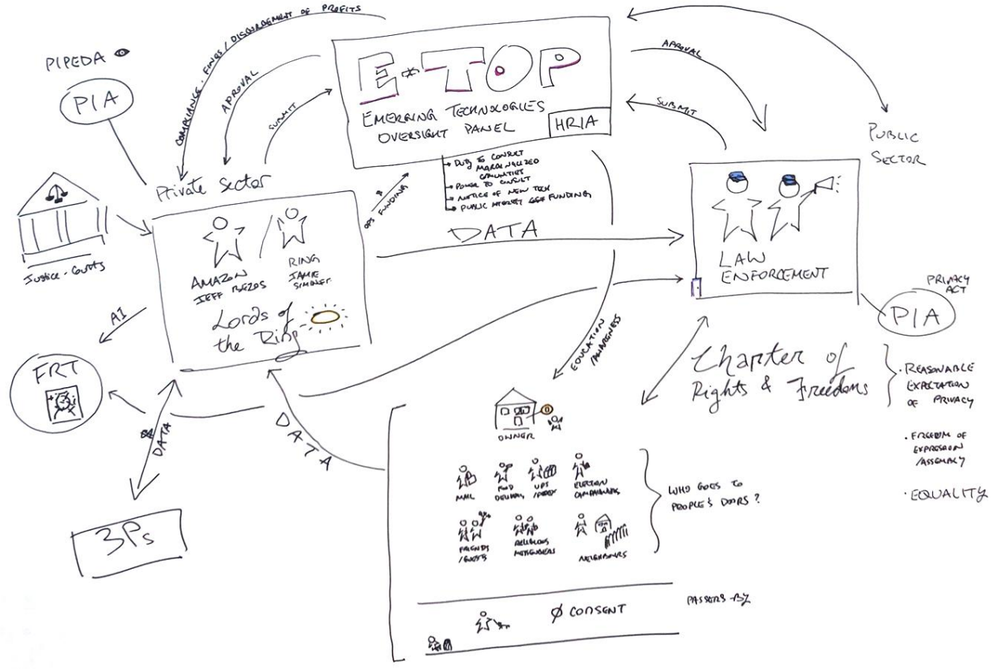
- Privacy Impact Assessments, in coordination with Privacy Commissioners
- Other types of impact assessments that are relevant to the technology, (ie: Environmental Impact Assessments)
- Security and Risk Analyses
- Ongoing Reviews (ie: every 3 years, or if a new feature is introduced that substantially changes how the technology works)
- Individual Complaint Processes (ie: if an individual wanted to bring something forward, could be done during a review)
- Judicial Review & Appeal Processes (ie: if someone disagrees with a decision)

Panel Experts:

- Privacy
- Equality
- Technologists
- Community Stakeholders
- Equity, Diversity, Inclusion
- Climate / Environmental

Powers:

- Approve or deny applications
- Fines and enforcements
- Orders
- Duties and powers to consult
- Audit and investigatory powers



Next steps: To move this project forward, the professional contacts of the Jam participants involved in the design of ETOP could be leveraged. In addition to refining the system map and touch points, all stakeholders should be identified and further research into the implications of the system undertaken. Principles and a mission statement could guide this work. Questions raised by other participants during the Jam need to be answered, such as the impact of this oversight process on existing technology, and how this policy would impact global products coming into Canada.

This particular concept would benefit from collaboration with design researchers, who could facilitate additional expert workshops and guide design thinking processes to tackle this complex system and policy design project. Once further refinements are made to the system and policy proposal, for example, design researchers might recommend launching a pilot project, where a test panel of real experts could be assembled and the designed processes undertaken for a hypothetical (or real) new technology scenario. Even a hypothetical scenario, once enacted, would help to identify challenges and risks, so that the system could be adjusted as needed before formal policy recommendations are made at higher levels of government.

TEAM 03

DATA LOCKER

A toolkit designed for union workers so that they may self-assess and become more informed about data privacy issues at work in order to initiate positive change via the collective bargaining or grievance processes already established in Canadian unions.

HMW? How Might We re-imagine a new system for employees so that they can participate in the workforce where providing data is not a requirement to do their job?

Key Recommendation: This team recommends that employee data privacy protections be mandated to all Canadian union charters, including an agreement to minimize the amount of data collected to only that which is required to do the work, to conduct Privacy Impact Assessments for all employees, and to supply members with data privacy awareness tools and training.

Description of Outcome: Privacy Impact Assessments (PIA's) should be conducted by employers to ensure the privacy rights of employees, but often these are incomplete or not done at all. In addition to educating employees about the responsibilities of employers to conduct PIA's, the Data Locker toolkit would contain a Personal PIA process that an employee could undertake on their own. This process requires further research to design fully, but it could be based on existing PIA frameworks combined with contemporary risk assessment strategies.

To conduct a Personal PIA, an employee would gain access via the Data Locker toolkit to a list of all possible data that could be collected on the job, along with associated risks. These data collection points would be refined based on industry, job tasks, and other factors. First, the employee could identify the data collection points that they know or assume are occuring in their job, such as biometric

Key Moment: Heading into the Deliver phase, this team had identified 2 key user archetypes that could benefit from a data transparency toolkit: unionized and non-unionized employees. A decision to focus on unionized workers emerged because of limitations in policy regulation for non-unionized/ private sector workers that the team felt would hinder their design explorations. Unions were identified by the team as having greater potential for individual and collective action, with real opportunity for positive change related to data privacy education and rights.

data like fingerprints, GPS data if the work involves driving a company car, or email and browser history logs. Following this, an analog or digital scoring system would be used to evaluate the possible risks to the employee. Risks may include reidentification of supposedly anonymous data, or malicious uses of data like bias or profiling.

Channels for action exist in Canadian unions, and can be leveraged to positively impact the data privacy rights of employees. The Data Locker toolkit will include action steps, which could take the form of an analog flow chart or digital chat-bot or decision tree interaction.

The action steps identified for the Data Locker toolkit include the following:

- Conduct a Personal PIA and evaluate the results
- Find out if your employer has conducted a PIA
- Evaluate your Personal PIA against the PIA your employer conducted
- Find out if there are Privacy Rights in your union's collective agreement
- Access union tools for collective bargaining and grievance processes as needed

This team also came up with a series of speculative design objects that would be designed to automatically stop transmitting data beyond the necessary requirements of the workplace. For example, a notification on Google Glasses that tells the employee that their data is being transmitted, and when it is not, including shutting off automatically outside of shifts and during break hours. A similar system could be applied to any data transmitting wearables or products like watches, company phones or cars, to limit the transmitting of unnecessary data.

Next Steps: A collaborative, co-design approach, including in depth qualitative and quantitative design research in collaboration with selected Canadian unions and employees is recommended. The target audience for Data Locker may be further refined, for example to employees within a particular sector or industry, or even one specific union, in order to explore and test prototype versions of the toolkit on a small and localized scale. Rapid, low resolution prototyping allows for challenges and refinements to be made prior to investing in large scale development of cross sector resources, and/or digital tools.

TEAM 04

ETIQUETTE GUIDE

The "Etiquette Guide to Privacy" is a guidebook for hosts with connected devices in their homes. The guidebook offers etiquette best practices along with a series of speculative design objects that aid in meaningful consent for guests who may not want to have their data collected.

Photo Credit: Vanessa Thomas

HMW? How Might We develop new social norms and etiquette for hosts so that they can make their homes privacy-friendly for their guests?

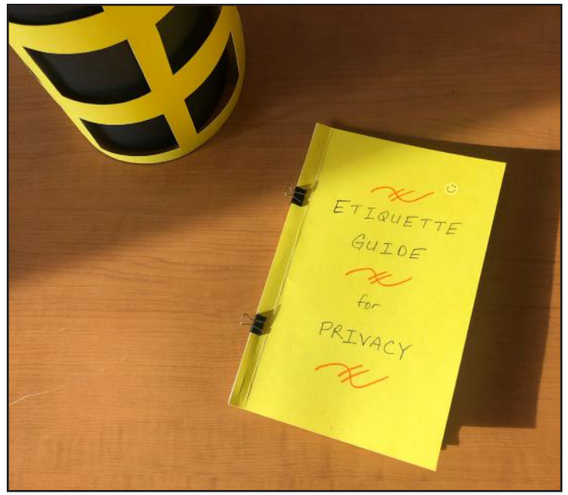
Key Recommendation: In addition to policy, it is important to develop social norms and customs related to data privacy.

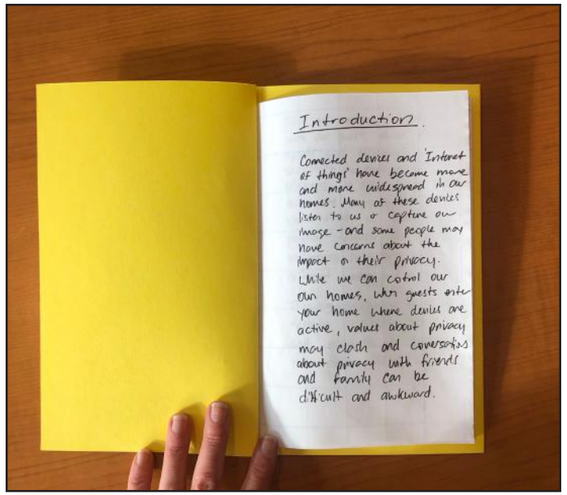
Description of Outcome: Connected devices and Internet of Things have become more and more widespread in our homes. Many of these devices listen to us or capture images, often unbeknown to the device owners themselves, and, perhaps more importantly, their guests.

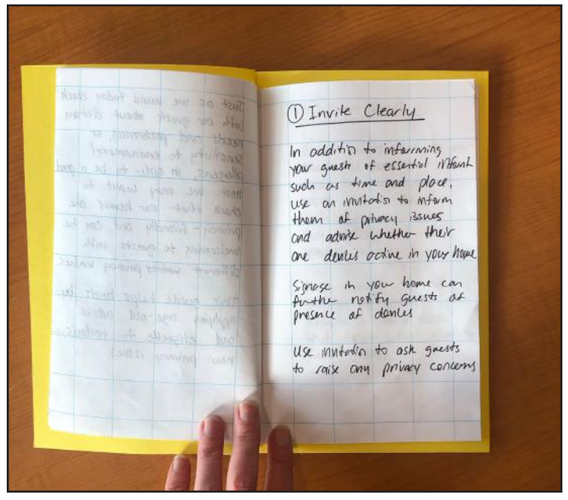
Some people may have concerns about the impact of smart home devices on their privacy. While we can control our own homes where devices are active, visitors have little or no control. Values about privacy may clash and conversations about privacy with friends and family can be difficult and awkward.

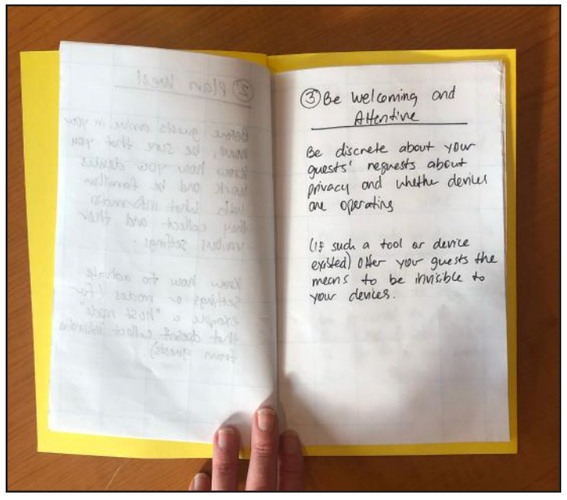
Just as we would check with our guests about dietary needs and preferences, or sensitivity to environmental allergens, in order to be a good host we may want to check that our homes are privacy-friendly and can be welcoming to guests with different privacy values.

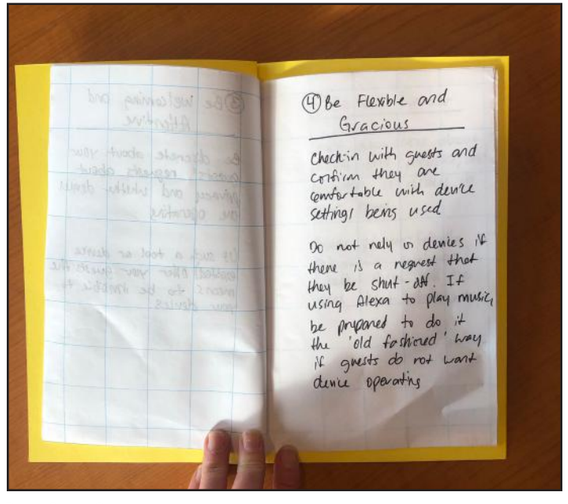
This guide takes inspiration from Emily Post's seminal book 'Etiquette' helps hosts by applying age-old advice and etiquette to today's new privacy issues.











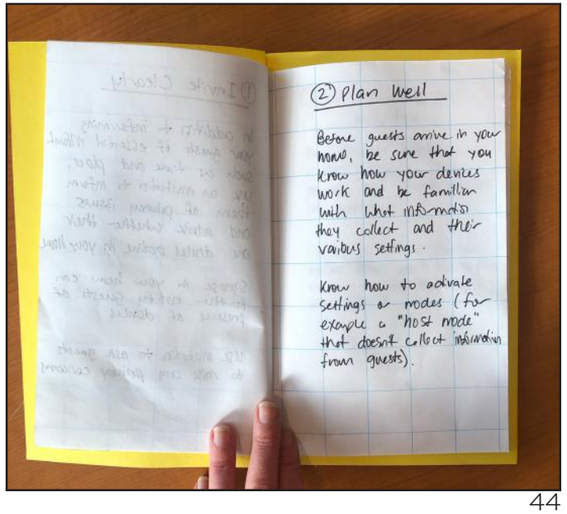


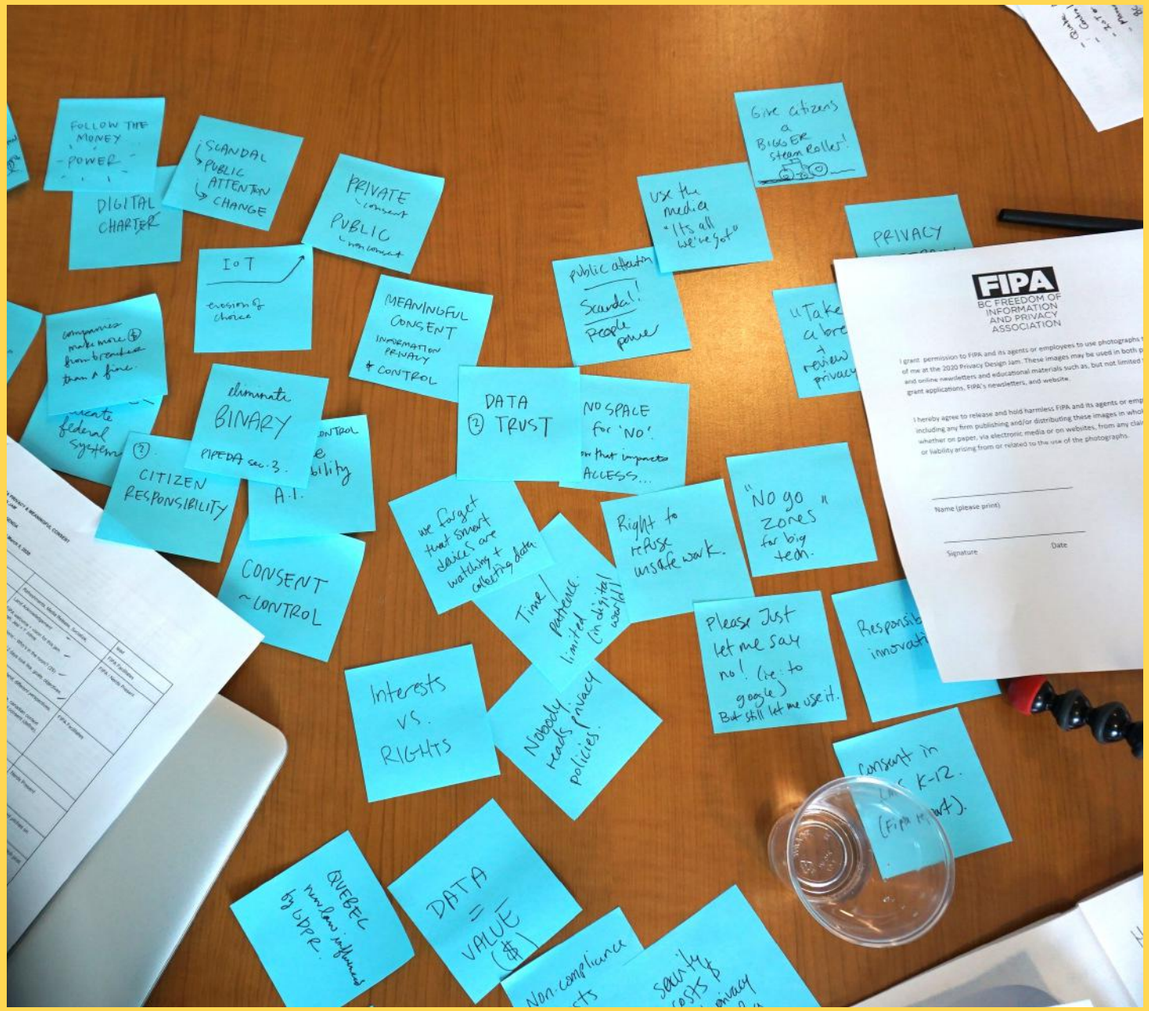
Photo Credit: Sarah Hay

Key Moment: During the Discover phase, this team paused work on Personas, which were at that time focused on marginalized groups. A reflective conversation allowed the team to think about why they were uncomfortable with the fact that the people they were trying to empathize with were not in the room to speak for themselves. The team made a collective decision to move away from a focus on marginalized communities, and instead draw directly from the Empathy Map exercise, gaining insight from team member's personal experiences, rather than making assumptions about others. This resulted in the concept of "Hosts" as a user archetype to design for.

Additional speculative objects were designed to support data privacy etiquette:

- A cover that can be placed on top of smart speakers like Alexa, in order to block them from collecting data from guests. Not only is it technically functional, the larger scale visual element is a reminder to guests that their host is considering their privacy.
- A traditional home adornment, the cross stitch, is modified to reflect data privacy: "Privacy Sweet Privacy"
- A data privacy wearable pin functions to block data collection, and notify hosts of a guest's privacy wishes.

Next Steps: This project has the potential to be tested quickly and easily with willing participants, and findings can be applied beyond the context of the home. Consider a smart city, where engagement with smart objects is out of citizens' control: What new social norms, manners and etiquette must be built into these public, civic spaces so that visitors can be empowered to make choices and better understand what is happening? A study of this prototype etiquette guide in the home could provide insight into how to "scale up" into a widespread culture of data privacy, consideration and etiquette.



CONCLUSION & RECOMMENDATIONS

The Data Privacy Design Jam brought together experts in the field, allowing dialogue and generative exploration of ideas and concepts that touch key areas of civic life. The two day format was successful in that participants could really dig into their problem areas, conducting initial research that eventually influenced their proposed Vision concepts. We also acknowledge that there is much more to do, such as directly collaborating with key user groups and affected communities.

The team projects cut across the three scales identified at the outset. They range from the personal, wearable, work, home, and school-based to the realm of high level federal policy. All the design proposals are in great shape for further design research and refinement, and some concepts are tangible and ready for user testing.

There seems to be consensus that Canadian policy needs to be updated. We hope to see more regulatory control of entities that collect data, and more rights for citizens. As illustrated by the proposals in this report, our education systems must support children and youth to be informed and prepared to deal with issues related to data privacy; corporations need to be reigned in and new products considered in a more intentional way before they are released, in order to mitigate impact on the public; both public and private sector employees must be educated and protected with respect to data privacy; and rights-based data privacy etiquette must be ingrained into the very core of our culture, beginning in the home.

The key recommendations and next steps for each project described above can be taken up by groups interested in pushing these ideas forward. Policies can be influenced, systems designed and behavior changed, we just need to take action in collaborative ways, particularly with the communities that are directly affected. Design research and design thinking processes are professional fields that are poised to contribute to this important work, and we hope that the thinking and outcomes of this Jam can help to form the foundation for real impact.

FINAL WORDS FROM BC FIPA

This was a very informative process for BC FIPA. It became apparent early on that identifying and working with Design Jam experts would leverage the full potential of the creative thinking process. Vancouver Design Nerds were easily incorporated into our initial proposal. Additionally, throughout the process, our organization encountered several changes. During the planning stage, we transitioned from a permanent executive director to an interim executive director and, a month before the event, we hired and on-boarded a new permanent executive director.

It is important to note that this project in itself is not the final stage in our work on meaningful consent and connected societies. Rather, this project has become a 'jumping-off point' that will launch future research and events to further address these complex issues with simple solutions. More specifically, we have begun to explore the feasibility of hosting another design jam with everyday consumers from various backgrounds rather than expert participants. The process we used could be adapted for either a representative sample of the general public or a predefined select target audience. By providing a similar initial problem and thought process, the results could provide useful insights to how the public views issues of consent in a modern context.

BC FIPA thanks the Office of the Privacy Commissioner of Canada for this opportunity to provide our views on this important issue.

If you require any additional information or clarification, please do not hesitate to contact us.

BC Freedom of Information and Privacy Association

#103- 1093 West Broadway
Vancouver, British Columbia
Canada V6H 1E2

Tel: 604.739.9788
Fax: 604.739.9148

fipa@fipa.bc.ca

THANK YOU!


Photo Credit: Carole Hay

On behalf of the Vancouver Design Nerds Society and BC FIPA, we would like to thank all of the participants for sharing your creativity and expertise — advancing our collective understanding of this this important topic. We look forward to working together again!

Gratefully,

Jesi Carson
jesi@designnerds.org

Sarah Hay
sarah@designnerds.org

See more of our work at
vancouver.designnerds.org

*Photography Credit (unless otherwise noted): Theunis Snyman

FIPA

Office of the
Privacy Commissioner
of Canada

VANCOUVER
DESIGN
NERDS