

IAPP Canada Privacy Symposium

Toronto, Canada

May 13, 2025

Introduction and welcome

- Many thanks to the IAPP and congratulations on an excellent program, as always.
- It's a real privilege to speak with you today, particularly as I set out to begin my second term.
- I'm so honored to have been reappointed as Commissioner. I may not get to check off my bucket list every week on National TV like our next speaker did, but my gig is pretty sweet too!
- Given where I'm at – in between terms -- I *could* look back and do a retrospective, but I'd much rather speak about the future, in fact, five *futures*:
 - The future of privacy laws
 - The future of our planet
 - The future generation
 - The future of our profession, and
 - The future of the IPC

Future of privacy laws

- With a global trade war – looming- Canada is critically re-examining its past social, economic, and policy choices, and reevaluating its place in the world as a leader. But we can't lead globally if we're fragmented domestically.
- Our political leaders are actively working to break down interprovincial trade barriers, diversify their global trading partners, and proudly assert Canada's sovereignty as a free and democratic nation.
- In this context, the case for harmonized privacy laws has never been stronger.

- Just as we're beginning to question the logic of having different rules for alcohol sales across the country or different provincial licensing requirements for professionals and tradespersons, it's also time to reexamine our differing privacy rules across the country.
- Differences in federal, provincial, and territorial privacy laws, or worse, glaring gaps between them, make it needlessly complex for organizations planning to roll out programs and services nationwide. It's also unfair to citizens who have different privacy protections depending solely on where they live.
- As privacy pros, you know better than anyone that navigating privacy laws globally is complex enough, let alone trying to navigate different rules within Canada itself.
- There's an economic burden to regulatory compliance across provincial borders, and in some cases, an opportunity cost in having to forego markets altogether.
- That doesn't mean that we shouldn't have provincial and territorial laws -- interpreted and applied locally -- within our respective constitutional domains. But we *do* need a basic, common canvas to work from if we want to empower innovation, investment and trust in our digital economy.

Future of our planet

- But privacy laws don't exist in a vacuum. And neither does our data.
- To really future-proof our digital world, we need to think about the hidden environmental costs to our physical world as well.
- For a long time, I've worried about the environmental impacts of hyper-consumerism, aggravated by an online world that's made it far easier to buy things we don't need and have them delivered to our front door by delivery trucks, in highly wasteful packaging.
- You might be thinking, what on *earth* does that have to do with data privacy?
- Well, the connection between data privacy and the environment is starting to reveal itself.
- For years, we've known that our personal information is being collected and commercialized for behavioural online advertising, consumer profiling, and microtargeting.

- Add to this the addictive tactics and deceptive design patterns many websites use to aggressively nudge us into make certain choices or deter us from declining others, and we begin to see a more direct line between privacy transgressions, hyper-consumerism, and real, adverse consequences for our planet.
- We're also learning more about the massive environmental footprint of artificial intelligence.
- While AI brings great promise and potential to help solve big-world problems, including the environment, it also takes an enormous amount of minerals, energy, and water to sustain large-scale data centres, with the serious potential of harming our ecosystems and accelerating climate change.
- Globally, data centres are projected to consume about as much electricity by 2026, as the entire country of Japan!
- When we advocate for data minimization and responsible AI, we're also advocating for our planet.
- The EU AI Act gives an explicit nod to the EU Charter value of environmental protection, in addition to privacy and human rights.
- Inspired by that approach, my office strongly recommended that the *Enhancing Digital Security and Trust Act* portion of Bill 194 incorporate explicit AI principles, *including* the requirement that AI systems be configured to support human life, physical and mental health, economic security, *and the environment*.
- Unfortunately, our recommendation to codify these and other fundamental AI principles into the law itself did not come to pass. Instead, we continue to press – and hope — for these principles to be included in future regulations.

Future of our children and youth

- If the health of our planet is an urgent concern, so is protecting those who will inherit it.
- For the past four years, my office has been steadfast in our commitment to champion the access and privacy rights of Ontario's children and youth by promoting their digital rights and digital literacy, while holding institutions accountable for protecting the children and youth they serve.

- We're working actively with our international partners on the Digital Education Working Group of the Global Privacy Assembly and UNICEF to coordinate our efforts to protect children's privacy, particularly vis-à-vis ed tech.
- Closer to home, we were delighted that the Privacy Pursuit Lesson Plans we co-developed with MediaSmarts have been integrated into digital textbooks to support Ontario's new education curriculum on digital literacy and citizenship skills.
- We also created a Digital Privacy Charter for Ontario Schools with 12 clear commitments for schools and school boards to help empower students to make informed privacy choices, while also taking real responsibility for protecting them online.
- In the wake of the Powerschool breach, *now is the time* for education leaders to courageously step forward and sign on to this charter to make these protections a reality.
- The IPC is so fortunate to be supported by our Youth Advisory Council, a group of ten youth from different communities across the province and with diverse backgrounds, experiences, and perspectives.
- They give us regular input on how we, as a regulator, can be more effective in reaching out to this younger demographic without sounding cringe or out of touch.
- They help us develop age-appropriate educational materials, like the Youth Ambassador Toolkit designed to empower youth with the knowledge and resources they need to share with their peers about the importance of privacy rights.
- They're such amazing leaders in their own right. Who knows? One of them could become the next Greta Thunberg of privacy rights!

Future of the privacy profession

- This brings me to the fourth future: the future of Canada's privacy profession.
- As I look at everyone in this room, I am filled with tremendous energy and optimism, seeing the people who will carry this work forward in the years to come.
- And particularly to those of you just starting out in this field, I'd like to share with you, *if I may*, a couple lessons I've learned through the years:

- Don't be afraid to take a non-linear path. Mine was anything but linear. If an exciting career opportunity comes up in another department, organization, or even sector that will give you a different vantage point on privacy issues you care about, don't dismiss it just because it's not a step up the org chart.
- Sometimes a lateral move can be the best move. As long as you're learning, you're growing.
- One of my greatest mentors told me he learned more about the law by reading the library book that sat *next to* the book he was looking for. It was his way of teaching me how lateral thinking can help you connect so many dots and creatively unlock new ideas and approaches.
- Actively seek out and listen to different perspectives. Don't be afraid of tough conversations that challenge your own viewpoint and may delay your plans or even throw them off course.
- I remember the first multistakeholder workshop I organized in the early 2000s on secondary use of personal information in health research in the hopes of developing national policy guidelines. I was mortified when the discussion completely broke down and we did not achieve the consensus I was hoping for. But years later, when we eventually did, I traced our success back to those earlier conversations that helped us move the needle.
- Ours is a field full of passionate debate on highly complex societal issues. And reasonable people may disagree... *certainly at first*. But with openness, goodwill, and true collaboration, I believe we *can* find practical and pragmatic solutions that help support innovation while protecting privacy.

Future of the IPC

- And finally, many of you have asked me what about the future of the IPC? What will you do in your second term?
- It's too early to tell right now, but we are planning a year of transition. We will be consulting externally and working with our strategic advisory council to develop a new strategic plan for the next five years.

- And I've already challenged my incredible team to start thinking about the next tranche of big, bold ideas.
- Just like our Transparency Challenge, Youth Advisory Council, Digital Privacy Charter for Schools and InfoMatters podcast, we will continue to bring forth unconventional initiatives that keep us fresh, modern and innovative as a regulator focused on real world outcomes. And we welcome all of your ideas too!

Conclusion

- We live in a data driven world, propelled by AI. That may feel scary and overwhelming at times, particularly among those of us whose job it is to think through the broader legal, ethical, and social implications.
- But we can't give up the good fight. By collaborating, being flexible in our approach, and stepping forward with courage and perseverance, we *can* shape better outcomes and help build a better future -- or *futures*-- for *everyone*.
- Thank you.