



## Round Table

# “Child Online Safety : Data Privacy and Security”

5<sup>th</sup> August, 2014, New Delhi



## **Round Table**

### **“Child Online Safety : Data Privacy and Security”**

#### **Description**

*The world has gone way ahead, we are way behind" on protection of children from online abuse, the Delhi High Court told the Centre, lamenting lack of adequate laws to address the issue.*

Internet and online technologies become pervasive in modern era, almost 40% of the World's population, which corresponds to about 2.7 billion people, are online. A variety of social media sites are used by children, often without any guidance or understanding of the risks and unwanted consequences. Children are subjected to various online ads, interact with online apps and also with online contacts that might expose their personal details inappropriately. Online offenders use different forms of deception to groom a child for sexual intentions and also use various information collected from them to their advantage.

Legal and technical policy framework to address these issues in India is comparably very weak and requires urgent attention. Building understanding and capacity of all stakeholders on this issue is thus crucial. Thus CIRC organised a round table on **“Child Online Safety: Data Privacy and Security” on 5<sup>th</sup> August, 2014 at New Delhi YMCA.**

#### **Objective of the Roundtable**

Objective of the roundtable was to provide a range of information related to the issue, explore the linkages between data privacy rules, customs and practices and how they impact the online risks for children and thereby create a better understanding and capacity to build relevant mechanisms to counter such risks.

#### **Proceedings**

*Protecting your personal data is a fundamental right and free flow of personal data : a common good. Everyone has a right to protection of personal data.*

The programme began with a welcome address by Mr Arun Talwar, Chief Operating Officer, CIRC. He expressed his gratitude to everyone for taking out their time to be part of this intellectual exercise. He enlightened the participants with a brief introduction about the need and relevance of data security and privacy issues. He introduced CIRC and also talked about data survey conducted in six cities in India last year on Child Online Security particularly in Schools. CIRC had also conducted a workshop in Malaysia last year on the same subject

which was very well received. He talked about different concerns being expressed by parents, educators, lawyers, child activists and policy makers. He raised several questions: Are there gaps in law that make it largely ineffective in protecting student privacy in today's digital age? What happens when a child leaves the institution? What happens to her on-line data? Is it possible to sue a service provider for any unlawful, unfair or fraudulent business act or practice?

**Mr Mohamed Mustafa Saidalavi**, CEO and founder of DISC (Developing Internet Safe Community ) Foundation, India and UAE **and Mr Anjan Bose**, International Child Online Protection Expert presented the keynote address.

**Mr Mohamed Mustafa Saidalavi** precluded the session by giving an overview of DISC Foundation, its vision and mission and why he started it.. He explained the audience that keeping the children away from technology is no solution. The need of the hour is that we afford our children with a tech freaky environment which is safe and in no sense violate their privacy standards. We need to understand how effectively internet can be utilised and online risks for the children like cyber bullying, child pornography, phishing, terrorism, digital drug trafficking etc.

Finally concluding, he professed that all should be part of celebrations of **Safer Internet Day** (organised by Insafe in February every year) and **Data Privacy Day** (observed annually on January 28) Such celebrations are an international effort to empower and educate people to protect their privacy and control their digital footprint.

The later part of the session was taken by Mr Anjan Bose. He began his session by discussing about the key topics to be addressed for safety of children. He laid five major topics to be discussed during the session.

- 1) Understanding the principles of data protection in the context of children and their rights
- 2) Issues related to ICTs and new developments
- 3) How children's data can be misused by offenders
- 4) Data protection and privacy in the context of online offenders
- 5) International practices, guidelines and some revised considerations

He also explained about fundamental principles to be kept in mind. The principles were:

- 1) Best interest of the child
- 2) Protection and care necessary for the wellbeing of children
- 3) Right to privacy
- 4) Representation
- 5) Competing interests: privacy and the best interest of the child
- 6) Adapting to the degree of maturity of the child

## 7) Right to be consulted

He discussed each point in detail during the later session. He has also thrown the light on few international guidelines and new trends like: US Federal Trade Commission's Children's Online Privacy Protection Act Rule (1998, revised in July 2013) and European Union's Data Protection Law. He suggested that two tools, education and accountability are required for protecting child data. The need is there to understand the difference between the general and sensitive personal data.

Then there was a lively panel discussion. The other two panellists were: **Ms. Puja Thakran, Chief Communication Officer, Uninor and Mr. Rodney D. Ryder, Partner Sciboard, Advocate and Legal Consultants.**

**Ms. Puja Thakran** stressed on the fact that each one of us play a role in protecting children from online crimes. She claimed that mobile phones are easily accessible to children. Thus it is the responsibility of parents to understand their responsibility and inquire children about what they are doing. India is most vulnerable country because firstly there is an easy access to internet and secondly it is difficult for parents to resist/forbid children. She mentioned her Web Wise programme for inculcating a new different education system. Every school should have a specific curriculum for protecting children data.

**Mr. Rodney D. Ryder** stated that there was no use of adopting incomplete laws/regulations. He discussed about different types of data. He also explained the audience that interference of parents in a child life was in no way wrong. But parents need to understand the maturity level of their children and with respect to that, restrictions should be put on children.

The floor was then left open for discussion, suggestions and questions. Participants asked very interesting questions. Panelists made the public aware of "**Privacy by Design**" and suggested that India need to adopt the critical human approach which is missing. Every website should have a grievance officer was also suggested. There is the need to train and give certificate courses to teachers as they play very important role in the development of children. This was followed by concluding remarks and a vote of thanks by Mr. Arun Talwar. He requested the participants to join hands with CIRC for this work. He concluded that if the privacy of our children was at stake, we could not remain silent and we needed a technological environment which was both beneficial and safe.

## **Feedback**

The feedback received was overwhelming. The participants were immensely satisfied with the knowledge gained. Teachers and school principal expressed their need to have one to one session with each school personally to teach them what precautions they need to take in order to protect innocent children. They were shocked to hear that the school is criminally responsible if a child data is leaked. CIRC was commended for its efforts.