

Executive Summary

In order to identify major privacy concerns and problems encountered by children, the Office of the Privacy Commissioner for Personal Data, Hong Kong (PCPD) commissioned the Centre for the Advancement of Social Sciences Research (CASR) at Hong Kong Baptist University to carry out the ‘Research Study on Child Privacy’ in October 2014.

During the research period, six focus group interviews were held, involving a sample of the following categories of stakeholders:

- i) Parents of kindergarten students
- ii) Parents of primary school students
- iii) Parents of secondary school students
- iv) Junior secondary school students (F1-F3)
- v) Senior secondary school students (F4-F6)
- vi) Teachers of primary and secondary school students

In-depth interviews were also conducted with representatives from four non-governmental organisations (NGOs) whose main focus is children.

Part I – Focus Group Interviews

Personal Data

The study results showed that children perceive their personal information (e.g. name, contact information) and that of their family members, as well as their personal relationship with their friends (e.g. their friends’ personal information, their lives outside school and conversation among friends), as private.

As for their home life, the children said they do not want their parents to check their mobile phones, personal diaries or online social media accounts. They also expressed concern that their parents may listen to or read the messages on their mobile phones in order to find out how they get along with their friends.

At school, the children were concerned that their personal information could be lost, as some teachers do not protect their personal data adequately after collecting it. They also do not want their teachers to know about their family situation, where they have been, or what they have discussed with their friends. Regarding their peers, the children were concerned that their friends could post online photos that they did not like, and they did not want their friends to know about their family (such as marital status of their parents

and the appearance of their family members), passwords for their mobile phones and conversation with friends.

The adults had a different perspective. Due to their concern about children's safety and development, the parents wanted to keep an eye on them, and to learn as much as possible about the whereabouts of their children, their social network and academic performance. Teachers, on the other hand, wanted to get information about their students' family background and financial situation via channels such as student handbooks and social media platforms so that they could provide assistance if required (e.g. students with special educational needs, families under the comprehensive social security assistance scheme, and non-Chinese speaking students).

Respect for Children's Privacy

Most children reflected that, in general, their parents, teachers and peers respected their privacy. However, some children claimed that their parents did not respect their privacy at home by listening to their phone calls or reading information in their social media accounts. It was also found that some teachers would monitor the lives of their students outside school via social media. Some children said a few of their friends would read their messages and view photos on their mobile phones, and even forward them to other parties.

The parents claimed that they respected the privacy of their children, but the teachers said that under special circumstances, they would disregard their students' privacy.

Awareness of Child Privacy

The children said that they were aware of privacy issues, as they usually obtained approval from their friends before posting personal data, photos or videos online. However, some children said they did not obtain the consent of their friends before posting group photos on social networking sites. They were generally aware of behavioural tracking by website operators to build profiles for advertising, and they had concerns about being monitored in this way.

The parents of kindergarten and primary school children thought that privacy awareness among their children was low. On the other hand, most of the parents of secondary school students found that their children were aware of privacy risks and associated problems (e.g. children asking their parents not to post information casually on Facebook). Similarly, the teachers found that senior form students were aware of privacy problems.

Children's Rights

Most secondary school participants in the focus groups did not think they were often given the right to refuse to disclose their personal data. Only a few of them pointed out

that they should have the right to refuse their parents if the request for information involves the privacy of their friends or when they reach the age of 18.

The parents of kindergarten students thought that their children were too young to be given the right to refuse to disclose their personal information. All parents of primary and secondary school students said that they had given their children the right to refuse to disclose their personal data to them as they could not force their children to do so. All the parents agreed that consent should be obtained from their children before posting their personal data on the social media.

In general, the teachers said that they needed to get background information on their students if necessary. They felt that they did not need to obtain consent from the parents or students again because they considered their parents have already accepted that the schools would use the students' personal data in the forms of student handbooks or school notices distributed at the beginning of the school term. Meanwhile, the primary school teachers tended to view the students as too young to mind how the schools collected and used their personal data.

Education and Support

The findings showed that the education and support provided by parents and schools to children concerning their personal privacy is inadequate. Some parents do not have adequate knowledge of how to provide support. What they usually do is to teach their children not to disclose their personal information to strangers. Schools do not provide enough educational support to children on privacy issues either. They might only hold a few talks or classes about privacy issues but not in the formal curriculum. Most of the teachers indicated that they or their schools did not provide support to students on privacy protection. In fact, they felt that the more students knew about their privacy right, the more restrictions would be imposed on schools as they might engage in privacy intrusive acts as needed. Following is a summary of the specific measures the schools take to protect children's privacy:

- i) Folders on computers can only be accessed only by authorised people (e.g. English teachers can only access folders relating to English-related subjects).
- ii) Teachers have to set passwords for files which contain sensitive information (e.g. special educational needs).
- iii) To prevent the disclosure of personal data, only class teachers can obtain and access information relating to the phone contacts of the students and their parents. Non-class teachers who wish to access the personal data of students must obtain approval from the discipline teacher.
- iv) School servers are supposed to be protected by security applications (e.g. firewalls).

Privacy Risks Faced by Students

Some of the interviewed parents admitted that they are very keen on posting their children's photos or videos via social media platforms and mobile apps. Most of the parents of primary school students share computers with their children, and some even use the same email account. The study also revealed that some parents of secondary school students know their children's social media and email passwords.

At school, teachers may wish to monitor their students' behaviour via social media. There is also the risk of handbooks and student identification being lost, exposing students' private data.

Who to Consult on Issues concerning Child Privacy

Students do not seem to know how to react or whom they should consult if they encounter problems concerning privacy. As a result, they will adopt privacy protection measures by their own means. Junior secondary school students adopt some measures to prevent their privacy from being invaded by their parents, such as setting up passwords for their mobile phones, closing the screen of their mobile phones if they are not using them, carrying their mobile phones with them at all times, or creating additional password protection for selected mobile applications.

Senior secondary school students adopted other measures to protect their data privacy from being invaded by their peers and on the Internet by removing tags on Facebook, asking peers direct to delete information if necessary, adjusting their privacy setting to "friends only" on Facebook, using fake information when registering accounts online, or not putting personal information on Facebook.

Circumstances When Child Privacy Can Be Violated

The children interviewed in the focus groups agreed that parents should be able to know their whereabouts and their friends' information in case of a dangerous situation. Most parents thought that they should have the right to violate their children's privacy under dangerous circumstances (e.g. when it involves offences including intercourse with someone under age or when there is a risk to their personal safety) as their children may lack the maturity to deal with certain situations. The teachers agreed that schools should have access to students' private information in certain cases (e.g. for the purpose of counselling, discipline or extracurricular activities).

Part II – In-depth Interviews

Child Privacy in Hong Kong

The majority of the interviewees from NGOs commented that children's privacy has improved in Hong Kong because of the Personal Data (Privacy) Ordinance. Awareness of privacy is seen to increase with age; therefore, the interviewees stated that young children still need guidance from their parents and teachers to protect their personal information. The majority of the interviewees particularly expressed concerns about online privacy and considered children's awareness of online privacy to be low.

One of the interviewees pointed out that parents are always given the authority to give consent or make decisions on behalf of their children below 18 years old, but that such decisions may neglect the rights and autonomy of their children, and may not fully represent their views on such issues as school drug testing or class boycotts.

Child Privacy Education

Most of the NGO representatives thought that schools, teachers and parents attribute low priority to privacy and are more concerned with academic issues and assessments. Privacy, therefore, is not a topic that exists within the school curriculum. They may only organise talks on related topics.

Suggestions for Improvement

Suggestions were given by the NGO representatives interviewed to improve the current situation concerning children's privacy:

PCPD

1. Strengthen education and promotion.
2. Advise procedure that facilitates children's complaints.
3. Provide more support to children's organisations, particularly NGOs.

Education Bureau

1. Identify major privacy-related topics and add them to the curriculum.
2. Conduct talks on the types of personal data that can or cannot be posted online.

Schools

1. Add privacy to the curriculum of General Studies or Liberal Studies in primary and secondary school, respectively.

2. Provide training on child privacy on schools' staff development days.
3. Partner with the PCPD or other NGOs to carry out privacy activities.
4. Produce parental guides and educational resources.

Interviewed Organisations

1. Cooperate with the PCPD to organise seminars or other activities.
2. Continue to provide talks to educate on child privacy.
3. Provide comments and suggestions to the PCPD when appropriate.
4. Review the policy and practices of the organisation.

Future Issues in Child Privacy

NGO representatives suggested that children will face more serious situations in the future, as they now are starting to use the Internet at very young age. In addition, more devices are now available that can connect to the Internet. While children will have more opportunities to use and access the web, the risk of leaking personal information will also increase. For example, the personal information of a student who actively participated in social issues was intentionally disclosed on the Internet.

Part III – Comparison of Major Findings

Information Perceived as Private That Stakeholders Wish To Know

Both parents and teachers said they wish to know more about their children/students which is perceived as private by the children. Parents are concerned about their children's social networks, while teachers need to get comprehensive personal information about their students (including detailed family background information, financial and marital status of their parents) which are also perceived as private by the students and do not want to be disclosed.

Awareness of Privacy

It was found that both parents and teachers agree that older children are more aware of privacy issues, while younger children are seen as being unaware of privacy risks and lack the ability to protect their privacy. Both the parents and teachers who participated also mentioned that some children are not aware of privacy problems and therefore do not know how to protect their privacy.

Respect for Privacy

Generally, students said that parents and teachers respect their privacy, but that many students do not respect each other's privacy. All parents and teachers who participated said that they respect their children's/students' privacy and that the youngsters have the right to refuse to disclose their personal data. However, the parents with younger children reflected that they want to know more about their children to protect them. The teachers also respect the privacy of students except for situations in which they have to handle discipline problems.

Consent

Three groups of participants expressed different views concerning consent issues. Most of the participants from the student groups said they would obtain permission from their peers before posting their personal information online, but all parents of kindergarten and primary school students, as well as teachers, agreed that they generally do not have to obtain approval before collecting and using the children's personal information.

Perceived Privacy Risks and Problems

The findings showed that students have concerns about privacy at school and among their peers, but are less concerned at home. The students are worried that teachers do not keep and handle their personal information safely, especially when saving their personal data on computers connected to the Internet.

Regarding the installation of CCTVs in public areas of schools, the study showed that students in general do not regard this as a privacy issue, and think that it is only for security purpose on the school campus.

Children may also be exposed to privacy risks because of daily habits or neglect. Some parents revealed that they are keen on posting and sharing their children's photos and video clips via social media platforms and mobile apps. In schools, teachers may monitor their students' behaviour via social media networks, while there is a risk of exposing personal data if student handbooks or identification is lost.

Use of ICT and Social Networks

All students, parents and teachers are active users of information and communications technology (ICT). Children may be exposed to risks as parents and schools post and share their personal information online without adequate protection measures. Study showed that parents frequently post photos of their children on social media platforms and share photos via mobile applications. Schools also post children's class allocation information on their websites.

Support Provided to Children

Results showed that parents, teachers and schools seldom provide support to children concerning privacy protection. Most parents have no idea on what to do to support their children to manage privacy problems, while teachers even reflected that they do not really like to teach students about these issues as schools may engage in acts that may intrude on privacy sometimes as needed. Therefore, children also do not receive much support from their parents and their schools.