#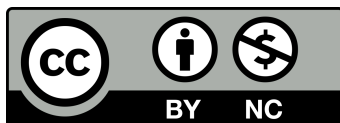 Consultation with young people about the Children's Online Privacy Code and the right to access, correct or delete data

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Introduction

This paper documents notes taken from a workshop with six young people aged 13-17 in May 2025 around the young people's perspectives of online privacy and agency and consent. Young participants were recruited from the CREATE Foundation, and all have experience of the out-of-home care system. This briefing reflects the young people's perspectives and words as much as possible, and was given to the Office of the Australian Information Commissioner to support their work drafting the Children's Online Privacy Code.

During the workshop, participants worked in small groups to discuss three aspects around online privacy:

1. Their experiences of online privacy. This included discussions about what they felt was problematic or their privacy was violated, or where they felt there were opportunities to embrace privacy
2. Their thoughts and perspectives around the right to access and correct personal information, and the potential 'right to delete'
3. Ideas for the Code development, including suggestions for key principles or guidelines they would like to see reflected in the Code

Participants were also provided the opportunity to leave a 'postcard' or note to the Privacy Commissioner.

This report documents the thoughts and words of young people themselves, and some observations from adult moderators of the focus group, in an aim to summarise key thoughts and insights.

This workshop was organised by Reset.Tech Australia, and CREATE. With many thanks to the Jessie Street Foundation for the support for this research.

Experiences of online privacy

Summary

The top three things this focus group wanted to tell the Privacy Commissioner about their experience of online privacy was:

1. **Lack of control:** We feel like there is a lack of control over our data. We don't always know where our data goes or what it is used for
2. **Lack of choice**: We don't have choices over our data. It feels like there's pressure to select certain things. Like you have to say 'yes' to access a website or app, or click yes to the cookies. It's too frustrating and time consuming to say no
3. **Advertising is a concern:** The advertising that we get is a worry, there's no control over it, and sometimes it is inappropriate and we can't get rid of it
4. **Online privacy is a worry:** We are worried about our online privacy. The lack of privacy keeps you worried about what you can and can't click and what its going to take you to

Discussion

The discussion with the young people raised a number of concerns around their online privacy.

- They noted how they were (largely) all very active online, but that this experience did not come with a sense of control. They discussed a number of concerns about their online privacy and online experience in general that felt out of their hands, including a lack of awareness about what data was collected and where it was going, stating that it was often hard to understand the importance of their data.
  - They also noted inappropriate content and the presence of "creeps online" as other online experiences that felt out of their hands.

- They talked about cookies with a particular scepticism. They were aware that "cookies are just a way to go back over your browser history" and get extra information from us. They felt this was unfair.
  - However, one young person noted that they "press yes" to everything and accept the cookies even though they know they shouldn't. They described how they found the process and presentation of cookies banners as annoying, and said "they get peeved off by them" and their impatience is what drives them to just click yes, presumably to make the banner go away.
  - Another said they assessed each website with skepticism, but noted that there were apps or websites they needed and felt they had to trust them and say yes. The example given was their school's website. In general, they described how

they "don't trust them, so I say no where I can". This potentially connects back to the group's earlier point, about control – this young person clicks no *where he feels he can*, but this is not possible for them in each case.

- They talked about a lack of control over advertising being part of their online experience as well. They talked about being annoyed by the presence of advertising that targeted them, that they often could not close or open pop-ups that take them to other websites. They felt this was a cybersecurity risk as well.

- Their (lack of) online privacy was connected to a (lack of) sense of safety. They noted that this did not feel data-safe, noting how once data was collected it was gone for good, — "once it's up, it's up."

- They were worried about the general surveillance involved in some common services, such as Facebook and Siri. Again they noted that they can't control what is shared by these services, and indeed what is collected by them — "we can't control what these apps hear."

- We discussed if this was a 'small, background concern' or a 'big worry'. The group described this as a big worry. They were concerned about their lack of privacy and its erosion over time — "everyone can see you in the long run." They also talked about how this concern affected their online behaviours, "it keeps you worried about what you can and can't click".

Thoughts about the right to access & correct data

Summary

The top three things this focus group wanted to tell the Privacy Commissioner about data access and correction was:

- **The ownership of personal data is problematic:** Data belongs to young people. 100% it's ours, and it shouldn't be considered anyone else (such as a company). We should be able to see it and access it and delete it. If it's your own data, nobody else should be able to access it; only you.
- **The need to improve data access and correction 'take-up'.** We need to raise awareness about the right to access data and correct it among young people.
- **The need for data deletion rights:** We need the right to delete our data. It's ours. The Code needs to address who has our data, because it's not right that we request our data if it's been shared with another company and we don't know that they do. This expands our data footprint.
- **Data disclosures need greater control:** If a company, or software wants to take your data, if they are going to sell your data they should ask your permission. We should be able to say no. They need to make us aware of our data being transferred.

Discussion

The discussion with the young people raised a number of concerns around the right to access and correct your data.

- We started with a discussion about *if* the group were aware of their right to access or correct their data. One young person was aware that they could access their data on TikTok, because they had accessed it and shared it with a third party app to create a TikTok version of an end of year "Wrapped" visual. He noted that the process was not easy. The rest of the group were unaware that they could access their data from platforms, or that they had the right to do this.

- When we asked what would remedy the situation they described a twin process of:
  - Making the process of requisition data easy and embedded with each app or piece of software in a a prominent way — "have the function in each app so you can see it"
  - Increasing awareness for teens around their right to access and correct data. They felt that if more young people knew, they might exercise that right. This could involve, for example, prompts on platforms to encourage this.

- This raised an interesting discussion about the ownership of children's personal data, and if companies *ought* to be considered the owner, or if it should be understood as owned by young people. One young person for example said "100% if it's your data (i.e. about you) it's your data. It shouldn't be anyone else's. I'm firm on this".

- Flowing from the discussion about ownership of data, the group felt that the right to access and correct data ought to extend to the right to delete data — "if it's your data, it's yours. You should be able to keep it or delete it or keep it to yourself". This understanding offers reflections around the sense of unfairness the group felt when they were describing how they felt they had a lack of control over their data and how cookies were so often deployed. If their data is their data, it is understandable that their lack of control over it causes a sense of frustration and worry.
    - This was also connected to the risks of identity theft and content theft online. They talked about how if they create data, including content, they should have the right to determine what is done with it, and to control who can use it. They felt that no-one should be able to "pretend to be you" by using your data or content.

- The group also discussed data disclosures and the sale and sharing of young people's data.They described data disclosures as something that "expands your digital footprint way more", and amplified all of the risks and concerns they have around lack of privacy and control.
    - In general, the group felt "it (disclosures) should not be allowed". Reflecting on their ownership of the data, and the complexity of the ways data is currently disclosed, they felt that *if* data was going to be disclosed, they should be asked and have the ability to decline. From an adult perspective, this may speak to the desire for a presumption that disclosures should not be allowed, or if or where they are necessary, they should only be allowed where young people have expressly consented.
    - They noted that the Code should address 'data disclosures' and flows of data. They were worried that their right to request to see, correct or delete data was meaningless *if they weren't sure about all of the companies who had copies of their data* — "how can we request our data if we don't know where it is?"

Ideas for the Children's Online Privacy Code

Summary

The top priorities and asks for the Children's Online Privacy Code, including :

- **Young people first:** Can the code prioritise what's right for young people, including their mental health needs?
- **More control:** The Code needs rules to provide young people more control, and not limits because of social problems
- **Informed consent**: The Code needs rules to ensure informed consent, not having to read a 1,000 page document
- **Data minimisation:** The Code needs rules around collecting less personal information, like address and stuff, because we don't want it collected. Especially where it's not needed!

Discussion

The discussion about the Code itself covered a number of areas. Including:

- The difference between the Code and the new minimum age requirements for social media platforms being implemented in December this year. The group felt that the minimum age restrictions were necessary and should be enforced, partly because of concerns around young people's mental health and content. However they also discussed how they wanted more control over their online experiences — especially privacy — and how the minimum age requirements were different. One young person said "we want more control, but we get limited because of social issues". They felt their online experiences were being curtailed by broader social issues, like scammers, creeps online and inappropriate advertising. They asked "how can we make it safe to post? Help us to have control *and* be safe". They wanted young people to "have the decision on how to post" at least, but to do so in an environment that was protected. A code that provides more control over their privacy while keeping them safe was needed, from this group's perspective.
  - They noted that they were particularly concerned about the privacy and data sharing of young people under 13. They hoped the minimum age requirements would prevent this on social media platforms, but noted more protection for younger children in general was needed. They noted that there was peer pressure for young people to be online.

- Informed consent was an issue the group wanted the Code to address. They described this as "having a not 1,000 page document" and instead wanting notices that were clear. They described their ideal notice as a one page, that clearly outlined "this is how your data will be used, collected and shared", and gives them choices over all of this.

- They talked about wanting a Code that prioritises what is right for young people, including their mental health, rather than what is wanted by companies. This needs to include considerations of age appropriateness across the board.

- Lastly, they talked about wanting the Code to reduce their data footprint overall. They wanted rules that prevented companies from collecting so much data about them in the first place, especially when it was unnecessary.

Postcards for the Commissioner

At the event, participants were given the opportunity to share thoughts and comments with the Privacy Commissioner. We asked them: **What is important to you for a Children's Online Privacy Code? What message would you like to share with the Privacy Commissioner as they draft the Code?**

- "Before submitting the draft just have a think, "is it the best way to protect young people and their data". Thank you for the opportunity to share our thoughts on this important matter!"

- My suggestions for the code:
    - "Consequences for misuse of data such as fines
    - If young people's data gets taken or stolen they should have to say something about it to the law makers
    - Young people should be allowed to post without fear of the content being taken and used without their permission"

- "Young people should be allowed to chase their dream if they want to be a content creator without their personal information being taken and said as the stalker or whoever's own information"

- My suggestions for the code:
    - "Possibly properly inform the children/ young person with all the information needed and ensure they fully understand what they are signing up for
    - Ensure if any data used without consent that the company or personal that used without consent is held accountable"

- "Thank you for your time and consideration in making the code. Please ensure young people's privacy is protected. Have a great afternoon/morning"

- "Children deserve to grow up in a digital world that protects their rights, not one that exploits their data. As you draft this Code, please put children's well-being, dignity, and safety first. Make it strong, clear, and enforceable — because weak protections are no protection at all. Let this be a bold step forward for privacy that truly puts kids before profit"