

For immediate release

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Canadian privacy regulators pass resolution to address privacy-related harms resulting from deceptive design patterns

VICTORIA - Privacy regulators from across Canada have issued a joint resolution calling for action on the growing use of deceptive design patterns (DDPs) that undermine privacy rights. Passed at their October annual meeting, hosted by the Information and Privacy Commissioner of Ontario, the resolution outlines key measures for organizations to adopt privacy-first design practices.

Deceptive design patterns manipulate or coerce users into making decisions that may not be in their best interests, particularly children. These patterns are frequently used on websites and mobile apps, and their prevalence is a growing concern for regulators, especially as more of Canadians' daily activities move online.

In 2024, the Global Privacy Enforcement Network (GPEN) launched a sweep of websites and apps, examining the prevalence of privacy-related DDPs. The Office of the Information and Privacy Commissioner for BC was one of the Canadian privacy regulators that joined this international effort, which examined over 1,000 websites and apps across multiple sectors, including retail, social media, news, entertainment, health, fitness, and those aimed at children.

The findings were troubling: 99 percent of Canadian digital platforms examined included at least one deceptive design pattern, with especially high levels of DDPs on platforms designed for children.

In response to the widespread use and potential harm of privacy-related DDPs, Canada's privacy commissioners and ombuds are calling on organizations in the public and private sectors to prioritize users' privacy and support their informed and autonomous choices by avoiding deceptive design practices. The resolution urges organizations to:

- build privacy and the best interests of young people into the design framework using privacy-by-design principles;
- limit the collection of personal information to only what is necessary for a specific purpose;
- use clear, accessible language that complies with privacy laws, enhances transparency and builds trust;

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- regularly review and improve design elements of websites and apps to reduce exposure to deceptive design patterns and support informed privacy choices; and
- choose design elements that adhere to privacy principles and do not generate negative habits or behaviors in users.

The privacy commissioners and ombuds commit to collaborating with governments and other interested parties to modernize design standards, reduce the presence of DDPs, and champion privacy-friendly design patterns that respect user autonomy.

“Deceptive design patterns are a threat to our privacy rights that undermine how we understand and consent to the collection and use of our personal information. For young people, the threat is even more insidious: these design elements not only deceive them, but manipulate them. They threaten their growing autonomy online, hurt identity formation, and compromise their ability to act in their own best interest,” said Michael Harvey, Information and Privacy Commissioner for British Columbia. “Our resolution calls on all of us to push back – to refuse to accept deceptive design patterns as ‘business as usual’. We call on organizations, in particular, to take stock of how they’re doing business online and to identify and put an end to the use of these practices. This is not only the ethical choice, it’s the smart business move – building trust in an area where it is increasingly in short supply.”

Learn more:

- Resolution: [Identifying and mitigating harms from privacy-related deceptive design patterns](#)
- [Information and Privacy Commissioner of Ontario hosts annual meeting of federal, provincial, and territorial information and privacy commissioners and ombuds](#)

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